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## GENERAL STUDIES (TEST CODE : 766)

| | | | |
|---|---|---|---|
| Name of Candidate | ADITYA VIKRAM YADAV | | |
| Medium Hindi/Eng. | ENGLISH | Registration Number | 28474 |
| Center | RAJINDER NAGAR | Date | 2/11/2016 |

### INDEX TABLE

| Q. No. | Maximum Marks | Marks Obtained |
|---|---|---|
| 1 | 12.5 | |
| 2 | 12.5 | |
| 3 | 12.5 | |
| 4 | 12.5 | |
| 5 | 12.5 | |
| 6 | 12.5 | |
| 7 | 12.5 | |
| 8 | 12.5 | |
| 9 | 12.5 | |
| 10 | 12.5 | |
| 11 | 12.5 | |
| 12 | 12.5 | |
| 13 | 12.5 | |
| 14 | 12.5 | |
| 15 | 12.5 | |
| 16 | 12.5 | |
| 17 | 12.5 | |
| 18 | 12.5 | |
| 19 | 12.5 | |
| 20 | 12.5 | |

**Total Marks Obtained:**

**Remarks:**

### INSTRUCTIONS

1. Do furnish the appropriate details in the answer sheet (viz. Name, Registration Number and Test Code).
   उत्तर पुस्तिका में सूचनाएं भरना आवश्यक है (नाम, प्रश्न-पत्र कोड, विद्यार्थी क्रमांक आदि)।
2. There are TWENTY questions printed in HINDI and ENGLISH.
   इसमें बीस प्रश्न हैं तथा हिन्दी और अंग्रेजी दोनों में छपे हैं।
3. All questions are compulsory.
   सभी प्रश्न अनिवार्य हैं।
4. The number of marks carried by a question/part is indicated against it.
   प्रत्येक प्रश्न/भाग के अंक उसके सामने दिए गए हैं।
5. Answers must be written in the medium authorized in the Admission Certificate, which must be stated clearly on the cover of this Question-Cum-Answer (QCA) Booklet in the space provided. No marks will be given for answers written in medium other that the authorized one.
   प्रश्नों के उत्तर उसी माध्यम में लिखे जाने चाहिए जिसका उल्लेख आपके प्रवेश पत्र में किया गया है और उस माध्यम का स्पष्ट उल्लेख प्रश्न-सह-उत्तर (क्यूसीए) पुस्तिका के मुख्य पृष्ठ पर अंकित निर्दिष्ट स्थान पर किया जाना चाहिए। उल्लिखित माध्यम के अतिरिक्त अन्य किसी माध्यम में लिए गए उत्तर पर कोई अंक नहीं मिलेंगे।
6. Word limit in questions, if specified, should be adhered to.
   प्रश्नों में शब्द सीमा, जहाँ विनिर्दिष्ट है, का अनुसरण किया जाना चाहिए।
7. Any page or portion of the page left blank in the Question-Cum-Answer Booklet must be clearly struck off.
   उत्तर पुस्तिका में खाली छोड़ा हुआ पृष्ठ या उसके अंश को स्पष्ट रूप से काटा जाना चाहिए।

# EVALUATION INDICATORS

1. Alignment Competence
2. Context Competence
3. Content Competence
4. Language Competence
5. Introduction Competence
6. Structure - Presentation Competence
7. Conclusion Competence

Overall Macro Comments / feedback / suggestions on Answer Booklet:

1.

2.

3.

4.

5.

6.

All the Best

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**All the questions are compulsory and carry 12.5 marks each.**

1. Legislative Councils in states are expensive and otherwise superfluous legislative appendages. Examine the utility of legislative councils in this context. Also, comment on the procedural aspect of setting up and abolishing them.

   राज्य विधान परिषदें महंगी और अनावश्यक विधायी उपांग हैं। इस संदर्भ में विधान परिषदों की उपयोगिता की जांच करें। इसके अतिरिक्त इनके सृजन व उत्सादन के प्रक्रियात्मक पहलुओं पर टिप्पणी करें।

Legislative Councils are regarded as the upper houses of larger state legislatures, made under the Constitution for states with a minimum legislative strength of 120 (except J&K).

They were originally envisaged as 'delaying chambers' to stall ill-conceived / populist legislative measures & to provide representation to a larger pool of persons in large states. Even as LCs exist in 7 states, Tamil Nadu & Andhra Pradesh's historical & recent vacillations on their formation cast

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LCs in a negative light.
Their utility is-
① Representative ② Delaying chamber
③ 1/6th 'eminent persons nominated by Governor bring expertise
④ Allow subject experts into cabinet /council of ministers

However, given the Shamsher Singh judgement (transferring nomination to Council of Ministers) along with the lacklustre nature of LC functioning, both experts & states themselves are ~~reform~~ reassessing their utility.
∴ Drawbacks-
① Cannot supersede/veto will of the legislative assembly.
② Inferior position in all aspects including passing of bills.
③ Expensive to maintain, create cushing

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& are a source of mayor corruption for ruling parties + political persons
(4) Utility in 'expertise' of members has not been shown in any state.

Therefore, given the passing of a motion with 2/3rds majority of present & voting, plus half of total strength of legislative assembly, along with passing of a resolution by Parliament with simple majority is a TEDIOUS process.

However, with states like Telangana, Andhra & Tamil Nadu reassessing their utility, there is a need to reinvigorate them by -
1) Stricter checks for persons appointed via nomination
2) more constitutional powers.
3) Following 'spirit' of constitution.

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2. While some argue that Article 3 provides usurping powers to the center at the cost of states, according to others it enables the Parliament to maintain and preserve federalism as enshrined in the constitution. Discuss. Is it time to have a relook at Article 3 in the spirit of co-operative federalism?

जहाँ कुछ लोगों का तर्क है कि संविधान का अनुच्छेद 3 राज्यों की कीमत पर केंद्र को अनन्य शक्तियां प्रदान करता है, वहीं दूसरों के अनुसार, यह संविधान में निहित संघवाद को बनाए रखने तथा संरक्षित करने के लिए संसद को सक्षम बनाता है। चर्चा कीजिए। क्या सहकारी-संघवाद की भावना के अनुरूप अनुच्छेद 3 पर पुनः विचार करने का समय आ गया है?

Article 3 grants Parliament the power to alter, increase or decrease size ~~or jurisdicti~~ of a state with or without assent of state assembly, so as to maintain administrative convenience and allow for the expression of economic & political aspirations of people. eg. Jhaakhand.

Constitutional scholars point India as a 'quasi federal' [KC Wheare] or at best as a federation with unitary features [Jennings]. Even the Supreme Court, in Re Delhi Laws Act Case (1951) qualifies India as ~~a~~ a quasi federal nation

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with unitary bias as it is a union which divided itself into units & not a conglomeration of states.

Article 3 powers have not been criticised too often in practice, as their use has FACILITATED creation of ethnic/~~state~~ linguistic states along with administrative ease.

eg. North Eastern states, Andhra Pradesh, Uttarakhand after 1956 SRC.

However, the power is often criticised to be unitary, & without consultation of interested parties [states themselves], thus rendering it problematic.

It is argued, that even as the need to centralise existed in 1947, it is not as emergent now, as India has cemented its position & is not prone

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to secessionist tendencies.
SR Bommai v. UoI [94] qualified federalism as a part of basic structure, thus increasing this need of consultation or concurrence.

'Co-operative Federalism' embodies the spirit of co-operation to improve effectiveness & efficiency of administrative units for general welfare.

Even as processes of consultation may provide a deeper perspective, it also raises concerns -

i) Political issues will be made (eg. Telangana)
ii) Unnecessary stalling of economically or politically expedient changes.
iii) Breach of constitutional mandate of Parliament

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3. While the British Parliament is a sovereign legislature, the Parliaments of India and USA are non-sovereign legislatures. Explain. Also, compare the organisation and powers of the Indian Lok Sabha with the British House of Commons.

जहाँ ब्रिटिश संसद एक संप्रभु विधायिका है, वहीं भारत और अमरीका की संसदें गैर-संप्रभु विधायिकाएं हैं। स्पष्ट करें। इसके अतिरिक्त, हाउस ऑफ कॉमन्स और भारतीय लोक सभा के गठन की प्रक्रिया और शक्तियों की तुलना करें।

British Parliament is regarded as being sovereign as it has no 'laches' on its functioning, has no limitation of jurisdiction, nor effective separation of powers.

In contrast, USA & Indian legislatures are restricted by-

i) Written nature of Constitution
ii) Fundamental Rights
iii) Judicial Review
iv) Federalism + ~~Basic Structure~~
v) Separation of Powers.

As none of these limits exist on UK Parliament, it is seen to be 'effectively' sovereign.

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Even as the Indian & British legislatures are constituted in the same fashion [Queen + House of Lords + House of Commons vs. President + Lok Sabha + Rajya Sabha], their common Westminster model structure & procedure, powers & privileges (Art. 105) seem to be common, their jurisdiction ~~has~~ is different –

1) Unlike UK, Indian Parliament has ~~no~~ only exceptional powers on the State List in Schedule 7.

2) Judicial Review present on ALL Parliamentary deliberations in India unlike UK.

3) Basic Structure Doctrine as a judicial innovation in India has been ~~criticised~~ ever expanding at the cost of the

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Parliament's jurisdiction.

4) India's Parliament cannot transgress fundamental rights or the letter of constitution.

Therefore, in contrast to the 'most powerful legislature in the world', i.e. UK, Indian Parliament is not sovereign for the aforementioned reasons.

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4. While Fundamental Rights are crucial to the survival of a vibrant democracy, Fundamental Duties are equally important. While enumerating the Fundamental Duties, discuss the statement.

जहाँ एक जीवंत लोकतंत्र के अस्तित्व के लिए मौलिक अधिकार अत्यंत महत्वपूर्ण होते हैं, वहीं मौलिक कर्तव्य भी समान रूप से महत्वपूर्ण होते हैं। मौलिक कर्तव्यों को चिन्हित करते हुए प्रस्तुत कथन पर चर्चा कीजिए।

Fundamental Duties were modelled by the Swaran Singh Committee along the lines of USSR duties of citizens so as to fulfill the principle of 'no rights without duties' of citizens, & to provide direction to citizens in aiding & nation building.

~~Even as~~ Fundamental duties include - ① Conserving lakes, forests & environment ② Respecting women & preserving dignity ③ Respecting the national flag & anthem ④ Building brotherhood & social harmony ⑤ Scientific temper & spirit of inquiry.

Others such as 'payment of taxes'

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were excluded.
The Minerva Mills Case (1980) said FR, FD & DPSPs form a 'bedrock of balance', which shows that all are equally important. The justiciability of Fundamental Duties is seen in Environment cases like MC Mehta v. UoI (91) and of sexual harassment in Visakha v. RJ

Therefore, in lawmaking as in law interpretation, Duties have been supplementing Fundamental Rights in policy formation & implementation, even as they are not enforceable per se,
Therefore, it is seen that Fundamental Duties are essential for governance and also

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nation building as it provides citizens & communities a direction to channel energies & maintain desireable conduct.

∴ It places duties on citizens as opposed to the state (as in Fundamental Rights), even though it is used in policy making

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5. Several constitutional experts have found the process of appointment and removal of governor to be against the very grain of democratic traditions and constitutional propriety. Do you think that this process warrants a fresh look in context of recent controversies surrounding the post?

कई संवैधानिक विशेषज्ञों ने राज्यपाल की नियुक्ति व इसे हटाने की प्रक्रिया को लोकतांत्रिक परंपराओं की मूलभावना और संवैधानिक मर्यादा के विरुद्ध पाया है। इस पद से जुड़े हाल के विवादों को देखते हुए क्या आप इस प्रक्रिया की समीक्षा की आवश्यकता महसूस करते हैं?

Recent 'resignations' of governors in 2014, dismissal of Arunachal Pradesh Governor along with the partisan role played by successive governors over the past 60 years has-

① Frustrated constitutional mandate

② Led to curtailment of governors discretion by Shamsher Singh v. UoI

③ Reduced credibility of post & increases insecurity of state governments.

Under Article 164, the Central Government through the President 'appoints' a Governor, with minimal constitutional qualifications like age.

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As Governors serve for 5 years or 'pleasure of president' whichever is earlier, their posts are seen to be the highest offices in the state with the lowest job security.

In Jayalalitha v. Union of India (90), role of governor was discussed despite Art. 361 immunity due to the partisan role played.

In BP Singhal v. UoI (2010) and the recent Arunachal case, the partisan role was discussed & decisions quashed by courts.

As per Punchhi, Sarkaria and 2nd ARC Commissions, there is a need for urgent constitutional reform.

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i) Person must be of 'public eminence' & non political nature.
ii) Must consult Chief minister and ~~Rajya~~ Rajya Sabha before exercising 'Pleasure'.
iii) Must give 'reasons' for summary removal.

However, due to the critical dual role played by the Governor as the ① Agent of centre & ② Constitutional head of state, it is not desireable to curtail the power of Centre as it may result in fissiparous, unconstitutional or secessionist tendencies in states.

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6. Repeated violations of the Model Code of Conduct (MCC) have raised questions on its effectiveness. In this light, discuss the idea of making MCC a part of Representation of Peoples Act, 1951.

आदर्श आचार संहिता (एम.सी.सी.) के बार-बार होने वाले उल्लंघन ने इसकी प्रभावशीलता पर प्रश्न खड़े किये हैं। इस आलोक में, आदर्श आचार संहिता को लोक प्रतिनिधित्व अधिनियम, 1951 का हिस्सा बनाने के विचार पर चर्चा करें।

Model code of conduct is an extra legal device of Election Commission agreed to informally by all parties in 1992 for effective conduct of elections, which empowers the EC to-

i) Stop major announcements, schemes, ~~t~~ expenditure etc. by incumbent right before elections

ii) Transfer officials for non-partisan conduct of elections.

iii) Take power in state for the period to exercise control over money & muscle power & anti-democratic activities during & before elections

iv) Regulate processes & personnel for peaceful & equitable elections.

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However, as in 2014 General elections as in recent Bihar elections, the sheer magnitude of violations of MCC caused serious concern to policymakers given that the ECs power is not utilised very often given allegations of partisanship & 'anti-democratic' character of disqualifying candidates despite presence of ~~Article 123~~ empowering provisions in RPA, 1951.

Therefore, as per repeated demands of experts, CECs, Courts & others, there is a need to-

i) Formalise power to impose & enforce MCC under Election Comm.

ii) Increase scope of powers to reduce partisanship of govt.

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machinery, stall influence of money & unlawful elements while finally resulting in more representative election outcomes.

∴ Need to broaden & cement powers of EC, but it must be coupled with safeguards in appointments in EC, as it may make a 'partisan Election Commissioner' very powerful, with authority to influence outcomes disproportionately.

eg. Navin Chawla indicted by 1977 Shah Commission, yet made CEC by UPA.

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7. The government cannot condition receipt of public benefits on waiver of fundamental rights. Discuss this statement in context of the recent issues raised in the Aadhaar petitions.

सरकार, जनता के समक्ष कल्याणकारी लाभों को प्राप्त करने के लिए, मौलिक अधिकारों के परित्यागं की शर्त नहीं रख सकती। हाल ही में आधार कार्ड से सम्बंधित याचिका में उठाए गए मुद्दों के संदर्भ में इस कथन पर चर्चा करें।

In recent cases concerning data security, privacy & 'choice' of individuals, such issues have been pitted against 'efficiencies in delivery, reduced corruption & increased welfare'. This has been done through the Aadhar case, where the Supreme Court acknowledged the lack of a legislative framework & restricted use of Aadhar to current schemes, & removed 'mandatory' nature of the biometric identity.

It is increasingly seen throughout the world that the issue of 'use of technology' has been seen

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to enable both welfare and surveillance, & civil society & governments have been seen to be in conflict. [FBI v. Apple].

However, in India it is seen that Fundamental Rights are a part of Basic Structure & are inviolable & incapable of being waived by a citizen. Therefore, an FR cannot be taken away except through 'reasonable restrictions', wherever they are provided.

In the Aadhar petitions, an unedified 'Rt. to Privacy' has been devised under Article 21 as per PUCL v. UoI (99) which gave a very limited definition to show illegality of state,

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actions. Additionally, security of sensitive data & sharing with 3rd Parties has also been woven into the case.

It is seen that through the Aadhar legislation (2016), a lawful mechanism, albeit subject to criticism has been made so as to acknowledge potential violations of rights while making multiple safeguards.

Therefore, it is seen that constitutionally, NO fundamental Rights can be taken away for giving public benefits BEYOND reasonable restrictions.

But unenumerated rights like privacy may be debatable in this context.

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8. Though the institutions protecting human rights and rights of the vulnerable sections are meant to act as watchdogs, they are treated as subordinate departments with scant regard for their autonomy or statutory character. Discuss the issues which these institutions are facing related to appointment, structure and functioning.

यद्यपि मानवाधिकारों और समाज के कमजोर वर्गों के अधिकारों की रक्षा करने वाले संस्थानों से इन अधिकारों के प्रहरी के रूप में कार्य करने की अपेक्षा की जाती है, लेकिन इन विभागों की स्वायत्तता या वैधानिक चरित्र के प्रति महज औपचारिक सम्मान प्रदर्शित करते हुए अधीनस्थ विभागों जैसा व्यवहार किया जाता है। इन संस्थाओं द्वारा नियुक्ति, गठन और कामकाज से संबंधित सामना की जा रही चुनौतियों पर चर्चा करें।

Constitutional [NCSC, NCST & NCBC] & statutory [NCM, NCW, NHRC, NCPRC] and other Commissions protecting human rights have been given powers of Civil Court & of investigation, role in socio-economic policy making & enforcement reforms, to empower them to allow perusal of rights by the most disadvantaged in specific situations or otherwise.

However, the recent Kairana Report of NHRC has exemplifies the partisan & subordinate role played

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by Commissions due to structural issues in formation & functioning-

Issues-

1) Except NHRC, minimal role of multiple stakeholders in Appointment, making it a government decision

2) Minimal criteria for appointment, making Political persons as the natural choice for such posts.

3) Funds are either not allocated, or not disbursed. This impairs Commissions from normal daily functioning & carrying out tasks

4) ~~For~~ Officials are not adequate, nor do they have domain expertise as most officials are on deputation to the commission

5) As appointees are political, they cannot act independently if

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than party in power.

6) Power of civil court only in procedures & they can ONLY recommend action, therefore POWERLESS.

∴ It is seen that structurally deficient design & appointments of such commissions, major overlaps in jurisdiction and a systemically flawed & unscientific approach to issues such as Rohtak Gangrape (2016) & AFSPA issues has reduced credibility of such institutions.

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9. Equality of seats among states in Rajya Sabha could not be adopted after independence because of the circumstances prevailing at that time. However, there is a need to take a fresh look at this. Evaluate.

स्वतंत्रता पश्चात् राज्यसभा में राज्यों के बीच सीटों की समानता की संकल्पना तत्कालीन परिस्थितियों के कारण नहीं अपनाई जा सकी। हालांकि इस पर नए सिरे से विचार करने की आवश्यकता है। मूल्यांकन करें।

In the Council of States, the Constituent Assembly had the option of making it 'equally representative' as per the USA Senate model, with equality of representation. However, the same was shot down by Ambedkar as-

i) India not 'confederation of states', Therefore equality of all states is not a fundamental tenet.

ii) Lok Sabha is delimitation based on population, & ∴ must have similar provisions in Rajya Sabha

iii) Fundamental difference in sizes & populations will cause major resentment. eg UP vs. Kerala / HP / Sikkim

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iv) Intention of Rajya Sabha is to give representations to views of states. ~~& not~~ If equitable, limited number of MPs from large states will be unable to flag issues.

∴ As states were seen to be only for administrative convenience with no basis of their own, the population (plus special circumstances) formula was adopted in Sch. 3.

However, given the cementing role of state ('State-Nation concept of Yogendra Yadav) and their permanence, there is a need to reconsider -

i) Chairmen does not allot time to smaller states.

ii) UP has more slots than all the 10 hill states combined.

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iii) Unequal voting states in Presidential elections as per population.

iv) Aspirations of ~~states~~ small states not fulfilled.

v) Larger States not seen to 'need' as many MPs given prevalence of the model in many countries.

Therefore, even as a more representative & equitable Rajya Sabha is envisaged, EQUALITY in itself will be more divisive than representative. & therefore it is desireable to grant more representation to small states without upsetting the current balance.

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10. It is contended that the implementation of One-Rank-One-Pension (OROP) for the armed forces would create a severe strain on government finances. Explain the principles underlying the OROP and arguments that have been cited in its support as well as opposition.

यह दृढ़तापूर्वक कहा जा रहा है कि सशस्त्र बलों के लिए वन रैंक-वन पेंशन (ओ.आर.ओ.पी.) का कार्यन्वयन सरकार के वित्त पर एक गंभीर दवाव उत्पन्न करेगा। ओ.आर.ओ.पी. के अन्तर्निहित सिद्धांतों तथा इसके समर्थन एवं विपक्ष में दिए गए तर्कों की व्याख्या कीजिए।

'OROP' is the principle that all persons retiring on the same rank (eg. Colonel) will get the same amount of pensions and increments regardless of-
① Time of retirement ② Length of service ③ Mode of recruitment.

This is because of perceived 'injustice' against those jawans who retire at 35, and to those officers who retired earlier (before 2000s).

Additionally, OROP is seen to be linked to 'pride' of the Armed forces & a perceived degradation of social status because of

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lower emoluments & lack of employment opportunities after early retirement.

In the same way, arguments against OROP include -

1) Excessive strain on government finance. [ > 10500 crores ]

2) ~~Year~~ Exponential increase in financial liability over time.

3) Armed forces as the ONLY government employees not covered under Contribution linked pension under NPS

4) No benefits of similar nature to CAPFs & state police.

5) 'Benefit' of OROP to disproportionately benefit 'Apex Scale' retirement Generals ∴ Major benefit to senior officers.

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Therefore, it is seen that arguments have been made amidst a slowing demand for employment in Armed Forces & a 'reduction in status' of officers as coupled with NATIONAL DUTY.

However, lack of a coherent financial plan, & the mixing of emotional arguments in place of facts has muddled the debate & turned OROP into a political move to garner votes

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11. Article 311 of the Constitution has been a matter of much debate. Arguments range from its retention in its present form, or even strengthening it, to its total deletion. Comment.

संविधान का अनुच्छेद 311 बहस का महत्वपूर्ण विषय रहा है। इस विमर्श में इसे वर्तमान रूप में ही बनाए रखने, अधिक सशक्त करने से लेकर इसके विलोपन तक के मुद्दे शामिल हैं टिप्पणी करें।

Article 311 deal with the restrictions on 'Doctrine of Pleasure' over civil servants u/ Art. 310.

It provides detailed & meticulous safeguards to government employees against DISMISSAL, REMOVAL & REDUCTION IN RANK.

It has been a major reason for 'job security' in government employment as it provides:-

i) Rt. to hearing & Principles of Natural Justice.

ii) Can't be removed by authority subordinate to appointing authority

iii) Process of Disciplinary proceedings against officials

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The process has resulted in 'entrenching' dead-wood & inefficient employees in government.

The 44th Constt. Amendment acknowledged this & removed 'right to second hearing' for the employee, to accellerate the process.

However, due to restrictive & expansive judicial pronouncements along with the conflict of interests of officials to accellerate removal of their brethren has stalled ~~all~~ proceedings u/311 despite SC judgement to finish such proceedings in 6 months.

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However, even as a simplee process may accellerate such dismissal, there is a need to restrict the prevalence of POLITICAL pressures in such acts.

It is argued that any further dilution may be counterproductive to bureaucratic independence & security as the power of 311 will be exercised ~~by~~ for adverse ends by interested parties.

This will inhibit decision making, entry into civil services & reduce credibility of government as a whole.

∴ Any reduction in 311 safeguards needs to be insulated from adverse pressures.

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12. While Public Interest Litigations have provided access to justice for the poor and the marginalized sections of the society but many vested interests have also misused it. In this context, examine the utility of PILs as a tool of social justice.
यद्यपि जन हित याचिकाओं ने समाज के निर्धन एवं अधिकार विहीन वर्गों को न्याय तक पहुंच प्रदान किया है, लेकिन कुछ निहित स्वार्थों के कारण इसका दुरुपयोग भी हुआ है। इस संदर्भ में, सामाजिक न्याय के साधन के रूप में जन हित याचिकाओं की उपयोगिता का परिक्षण करें।

The recent rap by Supreme Court to ~~CPIL~~ Centre for PIL founder Prashant Bhushan for excessive filing & seeking to abuse the dilution of locus standi has shown the crisis of the courts with PILs.

PILs were started by the S P Gupta v. UoI (1982) & ~~Nilabati~~ Nilabati Behera v. Orissa cases so as to facilitate pursuit of Fundamental rights by those who ~~stan~~ cannot themselves approach the court. Any public

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spirited person could approach the court, in absence of personal interests to enforce such rights.

~~However~~,

However, over time, SC has been clogged with PILs under Art. 32 & even Art. 136, leaving no time for constitutional interpretations or advisory ~~Fa~~ opinions.

Misuse of PIL-

i) Careers of politicians made because of PILs. eg. Sarbanonda Sonowal v. UoI on illegal immigration

ii) 'Career PIL experts' such as PUCL, PUDR, Common Cause & Prashant Bhushan seen to glorify themselves than to help others

iii) Personal interests often motivate perceived public interest.
eg. Kudankulam.

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iv). Personal disputes often take form of PILs to allow being heard in Supreme Court for fast disposal.

∴ Even as PILs were devised to let court step in where executive failed, it is seen that an overenthusiastic perusal of PILs have blocked the courts, created vested interest & have facilitated JUDICIAL ACTIVISM & encroachment.

Thus it is seen that use of PIL jurisdiction may be put into Constitution in a restrictive sense; so that it is not misused by the Court or a party.

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13. What do you understand by alternate dispute redressal mechanism? Discuss the various tools of ADR. In light of the problems faced by the Indian judiciary enumerate the advantages of Lok Adalats.

वैकल्पिक विवाद निवारण तंत्र से आप क्या समझते हैं? वैकल्पिक विवाद निवारण तंत्र (ए.डी.आर.) के विभिन्न साधनों पर चर्चा करें। भारतीय न्यायपालिका के समक्ष पेश आ रही समस्याओं के आलोक में लोक अदालतों के लाभों का वर्णन करें।

'Alternate Dispute Resolution' are means of resolving judicial disputes outside the court in structured format tailored to magnitude of dispute & needs of parties.

It was devised in US & UK when judicial pendency increased & judicial process was not seen to be ideal for many disputes. eg. matrimonial, corporate.

Means of ADR => Arbitration, Conciliation, Mediation, Lok Adalats etc.

It is seen as the 'need of the day' in India by the Law Commission as-

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① High delays & pendency in courts
② High costs, lawyers & time taken
③ Ideal dispute resolution journal is not always judicial,
④ ~~Process~~ CPC-CrPC are not victim / party centric.
⑤ Lawyers & courts cause social embarrassment in private disputes. eg. family, marriage, property

Therefore, Arbitration & Conciliation Act was made in 1988 & amended recently. Additionally, mediation has been promoted by the local courts in personal disputes.

The Legal services Authority Act 1987 created Lok Adalats & Permanent LAs for essential public services. These have

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been agents of change as -
i) Fast, cheap, summary procedure.
ii) Decisive, with minimal scope of appeal.
iii) Reduces judicial pendency & role of lawyers,
iv) 'Individualized Justice' unencumbered by Court orders
v) In full public view, as justice must be 'seen' to be done.

Therefore, Lok Adalats, despite functional issues are overall desireable. For ensuring popularity of ADR, need to reduce role of lawyers bodies in influencing the Court against ADR & to make legislations to facilitate ADR eg. recent A&C Amendment 2015.

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**14.** Bringing political parties under the ambit of RTI will not only usher accountability and transparency in governance but will also be a major step towards electoral reforms. Discuss.

राजनीतिक दलों को सूचना के अधिकार अधिनियम (आर.टी.आई.) के दायरे में लाने से न केवल पारदर्शी एवं उत्तरदायी शासन की शुरुआत होगी बल्कि यह चुनाव संबंधी सुधारों की दिशा में एक बड़ा कदम होगा। चर्चा करें।

The recent Supreme Court decision to include political parties within RTI was seen to be desireable, while showing some concerns on the 'legality' of such an order.

The merits of such a move are-

① Will curtail unaccounted flow of cash into parties.

② As EC doesnt regulate expenditure by parties, will ensure accounting of expenditure & accountability.

③ Will improve payment of tax liability to parties.

④ In light of recent Congress - 'Young India' controversy,

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will disentitle party leaders to use party funds as personal bank accounts.

(3) As election financing is the last structural issue in curtailing institutionalised corruption, it will be desireable.

However, as most black money expenditure is off-the-books, and the RTI Act only covers 'Public authorities', the inclusion of political parties, though morally & socially desireable, will not be entirely legal or prudent.

Inclusion will further inhibit parties from declaring legal contributions from donors & to appropriate such amounts largely

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illegally & to spend them as such. Therefore, it is desireable that such a proposal is conceived of as an amendment to RTI Act, with full support of the parties in Parliament for the same. eg. Swaccy Abhiyaan suomoto ~~If This is desired~~ This will improve compliance with RTI while reducing the 'game Theory' mentality of parties, as all major parties will be under similar obligations.

Therefore, this is a desireable move, but must come after the concurrence of parties & the vigilance of the media & public.

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**15.** A generational shift in railway operations is required. In light of this, discuss the need for an independent tariff and safety regulatory authority of India.

रेलवे के संचालन में आमूलचूल परिवर्तन की आवश्यकता है। इस तथ्य के प्रकाश में, भारत के लिए एक स्वतंत्र प्रशुल्क टैरिफ एवं सुरक्षा नियामक प्राधिकरण की आवश्यकता पर चर्चा करें।

Successive committees on the Railways, most recently Bibek Debroy Committee have suggested a 'generational' shift in rail operations through.

1. Commercial accounting.
2. Leaving non-core func" like schools & hospitals.
3. Independent Rail Tariff Authority
4. Restructured Railway Board & removal of silos
5. Implementation of previous projects, cost efficiencies & revenue increases.

It is seen that the current operating ratio of 114% of Railways

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remains unsustainable due to lack of political will to increase passenger fares, inability of companies to pay exorbitant freight charges & the perusal of economically unviable but politically desired routes for expansion.

Thus, a Rail Tariff Authority, which computes ~~fares~~ tariffs, removes cross subsidisation & integrates economic necessity of the poorest is of critical importance, as it - ① Improves financial health of Railways ② Allows capex ③ Expansion in service quality & quantity. eg. Talgo Coaches ④ New tracks & better technology

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Similarly, a Safety authority, as recommended by the Rakodkar Commission is essential, given high human & economic damage through rail accidents, unmanned crossings, animals & public on tracks, collisions etc.

Current system of CRS has failed to adapt to new technology, & as tracks are overutilized (124%), accidents are inevitable

∴ Better financial health via higher railway tariffs, better safety via GPS/GAN, space tech, safety regulator and higher R&D expenditure in RDSO will bring sustained change in railways

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16. It has been argued that the 'First past the post' system fails to represent the will of the majority and encourages vote-bank politics. In this context, examine whether India should adopt Proportional Representation System to reform our electoral process.

यह तर्क दिया जाता है कि 'फर्स्ट पास्ट द पोस्ट' प्रणाली बहुमत की इच्छा का प्रतिनिधित्व करने के स्थान पर वोट बैंक की राजनीति को प्रोत्साहित करती है। इस संदर्भ में, इस बात का परिक्षण करें कि क्या भारत को अपनी चुनावी प्रक्रिया में सुधार करने हेतु आनुपातिक प्रतिनिधित्व प्रणाली अपनाना चाहिए?

The Constituent Assembly, while discussing a similar conundrum, defined FPTP & discussed the benefits of both systems in electoral process. FPTP was adopted as-

① Cheaper & Faster ② India is historically used to it via British

③ Inculcates unity in constituency among electors.

④ Restricts creation of groups in a 'virtual separate electorate' via proportional representation

⑤ National unity, regional representation & limiting elected candidates

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However, as FPTP often implies rule of majority, India has seen prevalence of ① Hindu ② Male ③ Disproportionately upper caste persons getting elected.

Additionally, as 'winner' secures only 26-32% votes & the party winning 2014 general elections only got <40% votes shows lack of credible representation.

∴ Proportional representation is often seen as a panacea against ills of the FPTP as -

i) Gives representation to ~~all~~ more sections.

ii) Multiplicity of views & opinions

But, as it is more ~~CONFUSING~~ expensive &

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time consuming, not followed.
Also, Ambedkar contended that 'illiterate' sections of popul^n will ~~expect~~ not understand the system, therefore FPTP is more desirable.

However, with increased literacy awareness & rights based approach, it is increasingly desireable to move towards a system of proportional representation.

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17. Independence of judiciary and separation of powers, both are part of the basic structure of the constitution. In this context, discuss the recent Supreme Court judgment on the constitutional validity of the National Judicial Appointments Commission.

न्यायपालिका की स्वतंत्रता एवं शक्तियों का विभाजन, दोनों संविधान के मूल ढांचे का हिस्सा हैं। इस संदर्भ में, हाल ही में सुप्रीम कोर्ट द्वारा राष्ट्रीय न्यायिक नियुक्ति आयोग (एन.जे.ए.सी.)की संवैधानिक वैधता पर दिए गए निर्णय पर चर्चा करें।

Through the Basic Structure Doctrine, independence of judiciary & separ^n of powers were cemented in the SCAoRA v. UoI (1992) case [II^nd Judges Case].

Through the 99^th Constt. Amendment, the Parliament intended to make the process of appointment more transparent, inclusive and representative, while bringing it in line with Art. 124, which gives primacy to executive.

The Supreme Court, in the NJAC Case, struck down the 99^th CA by holding

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that the same violates Basic Structure as-

i) Primacy of judiciary in appointing, is a facet of Judicial independence

ii) 'Eminent Persons' remove the separation of powers

iii) Art. 124C allows judicial appt. to enter legislative domain.

iv) Executive only has facilitatory role in appt.

The judgement has been criticised for being anti-democratic & for not 'reading down' impugned provisions instead of declaring it unconstitutional.

Experts have called it 'DOCTRINE OF DERIVED BASIC STRUCTURE' where concepts not present in Constitution are 'deemed'

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to be basic ~~st~~ structure
eg. Primacy of judiciary.

Additionally, as Separation of Powers was only a DPSP (Art. 50) & the Constitution was seen to have 'Separation of functions', not powers, according to SC & experts, the judgement is unprecedented.

It is seen to disbalance the intricate structure of 'Checks & balances' by putting judiciary above any checks, which militates against Separation of Powers.

Also, as major questions of law & reasoning not answered, it is seen that legislative change is NECESSARY to regulate appointments

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18. AMRUT gives state governments the flexibility in designing schemes and eases central monitoring. Explain. How far can it recast the urban landscape of India?

अमृत (AMRUT) राज्य सरकारों को योजनाओं के प्रारूप निर्धारण के सन्दर्भ में लचीलापन प्रदान करता है तथा केंद्र द्वारा की जाने वाली मॉनीटरिंग को आसान बनाता है | वर्णन करें। भारत के शहरी परिदृश्य को यह किस हद तक पुनर्निर्मित कर सकता है?

AMRUT => Atal Mission for Rejuvenating Urban Areas is a progressive & ambitious scheme to provide ₹ 50,000 cr. over 5 yrs to 500 towns & cities for their improvement & modernisation.

It has been heralded as the epitome of 'cooperative federalism' by NITI Aayog as it changes the process initiated under its precursor JNNURM, which imposed 'one size fits all' solutions to states & cities, while dictating how & on what

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money is to be spent.

Under AMRUT, MoUD has given states flexibility to design schemes & to plan fund usage in cities AS PER NEED, & to submit such proposals.

AMRUT employs a 'competitive' approach where on the basis of

① Current health of urban local body

② Possibility of increasing internal revenue generation

③ Utility, viability & implementation of proposed projects.

④ Effects on citizens

are taken into account before allocating funds. This creates a stake of the ULB & state in receiving such funds, generates

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political & administrative interest in execution, & is most ~~impo~~ importantly very beneficial to locals as it is the most effective project through a competitive approach.

Additionally, central interference via completion certificates, deadlines & guidelines have been relaxed as per Principle of Subsidiarity.

This allows useable & beneficial projects, at lowest cost to be made with minimal political interference. This improves capacities of towns to cope with urbanisation & increased stress on water, land, environment, transport & health.

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19. There has been a tendency to resolve specialized cases faster through the means of Tribunals. In light of this, discuss the issue of increasing "tribunalisation" of courts in India.

न्यायाधिकरण जैसे साधनों के माध्यम से विशेष मामलों को तेजी से हल करने की प्रवृत्ति देखी जा रही है। इसके सन्दर्भ में, भारत में न्यायालयों को न्यायाधिकरणीकृत करने की बढ़ती प्रवृत्ति के मुद्दे पर चर्चा करें।

The introduction of Art. 323 A & B to operationalise tribunals in 1975 was done with the following rationale -

① Overburdened, expensive & long process of adjudication in judicial system.

② One size fits all procedure of CPC/CrPC & appeals frustrates dispute.

③ Lack of specialisation of judges.

④ Increased technicalities in fields of IT etc.

⑤ Fast & effective quasi-judicial dispute resolution in UK & US.

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The establishment of CAT, SAT & later TDSAT, AFMLAT, NCLT, COMPAT, NCDRC etc. led to ① Specialisation of dispute resolution.
② Faster, cheaper, effective & without procedural constraints.

However, it also gave the government a chance to nominate govt. servants & favourable persons to these posts, increasing partisanship

Also, such tribunals serve as post retirement sinecures for judges, & reduce their independence while in the court.

However, even as the tribunalisation is desireable, SC has put restrictions on the use of such

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Tribunals –
1) Chairperson + 50% members from the judiciary
2) All appeals to High Court as under Judicial Review [L Chandra Kumar Case]
[Frustrates point of 'instant justice']
3) Must follow Rule of Law, PNJ and Supreme Court.

Therefore, the prevalence of judges & appeal to HC has frustrated the point of such tribunals as judicial process is followed by judges, integrity is circumspect and appeals lie to HC. ∴ time & money arguments extinguished.

∴ Even as increased tribunalisation is desirable for justice delivery, effective & CONCLUSIVE determination of rights & independence is imperative

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**20.** While the 73rd and 74th constitutional amendments provided for representation to women in local governance, much work remains to be done to ensure their true participation, given their present socio-economic conditions. Comment.

यद्यपि 73वें और 74वें संविधान संशोधन ने महिलाओं को स्थानीय शासन में प्रतिनिधित्व प्रदान किया है, लेकिन उनकी वर्तमान सामाजिक-आर्थिक स्थिति को देखते हुए, महिलाओं की वास्तविक भागीदारी सुनिश्चित करने के लिए बहुत कुछ किया जाना शेष है। टिप्पणी करें।

Parts IXX & IXXA of the Constt. provide a horizontal reservation to women in Panchayats at a minimum threshold of 33%.

This has led to 1·1 million women getting elected & in empowering themselves & aiding resolution of problems of women in their areas.

However, such 'empowerment' is seen to be superficial as it has been marred by the absence of 'social & economic' empowerment of women in village areas.

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Issues -

1) 'Sarpanchpati' phenomenon of male heads of family / husbands play role of 'effective' sarpanch while elected women are rubber-stamps.

2) Social alienation & stratification within a family impair women from fighting elections on their own.

3). Domestic responsibilities ensure that the woman cannot spend adequate time dealing with ~~her~~ the village.

4) Illiteracy, social domination & ~~low~~ systemic low self esteem lead to women remaining rubber stamps.

Therefore, in the words of Ambedkar, political democracy is useless

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without social & economic democracy.

Therefore, urgent need exists to:

1) Educate, train & empower girls from the school & anganwadi levels. & reduce money-muscle power

2) Allow political parties to 'adopt' & hone talent of rising women sarpanches. eg. Chhani Rajawat (Rajasthan)

3) Dissemination of case studies of empowerment, autonomy & functioning of women sarpanches

4) Systemic social change to ameliorate conditions of women by channelling state resources

Therefore, it is essential to provide adequate conditions for women to sustain political movements, campaigns & elections.

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### INDEX TABLE

| Q. No. | Maximum Marks | Marks Obtained |
|---|---|---|
| 1 | 12.5 | |
| 2 | 12.5 | |
| 3 | 12.5 | |
| 4 | 12.5 | |
| 5 | 12.5 | |
| 6 | 12.5 | |
| 7 | 12.5 | |
| 8 | 12.5 | |
| 9 | 12.5 | |
| 10 | 12.5 | |
| 11 | 12.5 | |
| 12 | 12.5 | |
| 13 | 12.5 | |
| 14 | 12.5 | |
| 15 | 12.5 | |
| 16 | 12.5 | |
| 17 | 12.5 | |
| 18 | 12.5 | |
| 19 | 12.5 | |
| 20 | 12.5 | |

**Total Marks Obtained:**

**Remarks:**

### INSTRUCTIONS

1. Do furnish the appropriate details in the answer sheet (viz. Name, Registration Number and Test Code).
   उत्तर पुस्तिका में सूचनाएं भरना आवश्यक है (नाम, प्रश्न-पत्र कोड, विद्यार्थी क्रमांक आदि)।
2. There are TWENTY questions printed in HINDI and ENGLISH.
   इसमें बीस प्रश्न हैं तथा हिन्दी और अंग्रेजी दोनों में छपे हैं।
3. All questions are compulsory.
   सभी प्रश्न अनिवार्य हैं।
4. The number of marks carried by a question/part is indicated against it.
   प्रत्येक प्रश्न/भाग के अंक उसके सामने दिए गए हैं।
5. Answers must be written in the medium authorized in the Admission Certificate, which must be stated clearly on the cover of this Question-Cum-Answer (QCA) Booklet in the space provided. No marks will be given for answers written in medium other that the authorized one.
   प्रश्नों के उत्तर उसी माध्यम में लिखे जाने चाहिए जिसका उल्लेख आपके प्रवेश पत्र में किया गया है और उस माध्यम का स्पष्ट उल्लेख प्रश्न-सह-उत्तर (क्यूसीए) पुस्तिका के मुख्य पृष्ठ पर अंकित निर्दिष्ट स्थान पर किया जाना चाहिए। उल्लिखित माध्यम के अतिरिक्त अन्य किसी माध्यम में लिए गए उत्तर पर कोई अंक नहीं मिलेंगे।
6. Word limit in questions, if specified, should be adhered to.
   प्रश्नों में शब्द सीमा, जहाँ विनिर्दिष्ट है, का अनुसरण किया जाना चाहिए।
7. Any page or portion of the page left blank in the Question-Cum-Answer Booklet must be clearly struck off.
   उत्तर पुस्तिका में खाली छोड़ा हुआ पृष्ठ या उसके अंश को स्पष्ट रूप से काटा जाना चाहिए।

# EVALUATION INDICATORS

1. Alignment Competence
2. Context Competence
3. Content Competence
4. Language Competence
5. Introduction Competence
6. Structure - Presentation Competence
7. Conclusion Competence

Overall Macro Comments / feedback / suggestions on Answer Booklet:

1.

2.

3.

4.

5.

6.

All the Best

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**All the questions are compulsory and carry 12.5 marks each.**

1. Rights-based approach to social policy, which has rippled through India over the past decade and a half, reorients governance from ideas of patronage towards duty of the state and justified claims of citizens. Discuss with examples. Also, explain how the rights-based approach helps in improving public service delivery.

'सामाजिक नीति के प्रति अधिकार आधारित दृष्टिकोण', जिसने पिछले डेढ़ दशकों से भारत को आंदोलित किया है। शासन को संरक्षण के विचारों से पुनः राज्य के प्रति कर्तव्य तथा नागरिकों के न्यायोचित अधिकारों की ओर ले जाता है। दृष्टान्तों के साथ इस विषय पर चर्चा करें। इस बात की भी व्याख्या करें कि अधिकार आधारित दृष्टिकोण सार्वजनिक सेवाओं के वितरण में किस प्रकार सहायता करता है?

After the advent of neoliberal economic policy & increased social exposure to western societies & polity, the conception of a 'rights based approach' was mooted by experts such as Amartya Sen as the panacea for 'deepening' democracy, improving welfare & social outcomes.

It was seen that an excess reliance on the earlier 'entitlement based approach' was counterproductive as it led to bureaucratic sloth, 'maibaap' attitude, corruption

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absence of justiciability & lower socio-economic indicators.

Therefore, NREGA, RTE, RTI and NFSA along with multiple other social welfare & entitlement schemes made the provision of such public services a duty of the state, justiciable with provisions of fines etc.

eg. RTI & its appellate mechanism have transformed attitudes of bureaucrats & reduced arbitrary decⁿ making.

NREGA work-day entitlement led to higher incomes, equality, nutrition & prosperity in areas of operation.

International experts such as Amartya Sen & Andre Beteille contend that such 'rights' approaches as empirically are shown to improve

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welfare, happiness & socio-economic indicators as-

1. Minimised corruption
2. Increased access to public services eg. food, information, work, subsidy
3. Allowed social movements & judicial movements to secure rights eg. MKSS in Rajasthan
   NCPRI
4. 'Deepened' democracy by bringing fruits of development to 'Antodaya', who was earlier disenfranchised.
5. Onus of delivery & accountability on government servants.

Therefore, it is a globally followed progressive move. However, changes in work culture, reducing leakages, & inclusion/exclusion errors along with rationalisation of expenditure is imperative.

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2. Despite high enrolment in Rashtriya Swasthya Bima Yojana (RSBY), out-of-pocket expenditure on health has steadily increased over the years. In this context, highlight the achievements and shortcomings of RSBY. Also, discuss the challenges faced in its implementation.

राष्ट्रीय स्वास्थ्य बीमा योजना (आर.एस.बी.वाई.) में उच्च नामांकन (इनरोलमेंट) के बावजूद, पिछले वर्षों में स्वास्थ्य पर आउट-ऑफ-पॉकेट खर्च में वृद्धि हुई है। इस सन्दर्भ में, आर.एस.बी.वाई. की उपलब्धियों तथा कमियों पर प्रकाश डालें। इसके कार्यान्वयन के मार्ग में आ रही चुनौतियों पर भी चर्चा करें।

AIIMS Report recently stated that despite 8 years of RSBY, only 13% of rural & 15% of urban poor have access to insurance.

Rashtriya Swasthya Bima Yojana is a ~~insu~~ family health insurance scheme which ensures FREE diagnosis, check up, medicines & operations for a family upto a year & ₹30,000 for BPL families.

It is seen that even as enrollments under RSBY have increased, out of pocket expenditure is still 73% of total,

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& 63 million are pushed into poverty annually due to health bills.

The reasons for this are inherent in the structure of schemes like RSBY, & to an extent, PMJJY, Atal Pension Yojana, IGNOAPS etc.

Achievements

- Assured & dignified access to public & private health care of choice to BPL.
- Reduced illness, improved diagnosis & treatment + Better outcomes.
- Upwards of 70 million family members enrolled.

Drawbacks

- Overdiagnosis, over-medication & unnecessary operations seen to be carried out in private hospitals as payment is treatment based.

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- Increased burden on government without commensurate increase in health indicators.
- 'Aarogyashri' model of Andhra on similar lines destroyed state finances due to misuse/overuse by even well off.

Challenges in implementation-

① Disbursals from government slow.
② Social & caste issues of BPL beneficiaries restrict access to an extent.
③ Information, awareness & ~~wiki~~ & dissemination widely lacking.

Therefore, a long term approach towards a public health sector led model of health care is a long term strategy, but RSBY may be made tech enabled for short term solutions

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3. Unhealthy competition between Self Help Groups (SHGs) and Panchayati Raj Institutions (PRIs) reduces the effectiveness of both. Discuss. How can creating a synergy between the two help in addressing development challenges at the sub-district level?
स्वयं सहायता समूहों (एस.एच.जी.) तथा पंचायती राज संस्थाओं (पी.आर.आई.) के बीच अस्वस्थ प्रतिस्पर्द्धा, दोनों की प्रभाविता को कम करती है। चर्चा करें। दोनों के बीच सामंजस्य स्थापित करने से उप-जिला स्तर पर विकास की चुनौतियों से निपटने में किस प्रकार सहायता मिल सकती है?

PRIs & SHGs have individually been seen to be progressive & empowering institutions for self governance, administrative and financial empowerment & welfare as per Article 40 'grass-root democracy'.

However, reports of conflicts & mutual admonition of the PRIs & SHGs have collectively reduced the credibility of institutions.

Reasons are -

① 'constitutional' nature of PRIs allow them to assume authority over local SHGs

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(2) SHGs, being more financially independent & secure, does not give in to political & financial demands of PRIs.

(3) SHGs appropriate financial, political & administrative influence through collective mobilisation, leading to political one-upmanship.

Recent observations by the NITI Aayog & erstwhile NC Saxena Committee have shown that the minimisation of such friction greatly improves outcomes & authority of both institutions.

It is seen to be essential to create (1) confidence building (2) Operational congruence (3) mutual incentive structures

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to allow PRIs & SHGs to pool resources & work together.
This is to be done at the Block / District level.

Benefits -

① Financial might & mobilisation of SHGs benefit cash starved PRIs to create rural infrastructure.

② 'Profit' model of SHGs along with 'persuasion' & 'social mobilisation' strategies of SHGs greatly improve participation, awareness & revenue creation in projects.

③ Allow collective vision of ~~village~~ area based growth to develop & synergise efforts of both.

∴ It is essential & socially progressive for 'inclusive development' & PARTICIPATORY GOVERN.E.

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4. With an expected increase in old age population in the near future, there is a need to increase the ambit and reach of social safety net for their welfare. Discuss the challenges which policymakers face in design, development and execution of welfare measures for the elderly. How far do the recent measures taken by the government address these?

निकट भविष्य में वृद्ध आबादी में अनुमानित वृद्धि के परिप्रेक्ष्य में, वृद्ध जनों कल्याण के लिए सामाजिक सुरक्षा तंत्र के दायरे को बढ़ाने और इस तंत्र की पहुँच उन तक सुनिश्चित करने की आवश्यकता है। नीति-निर्माताओं द्वारा सामना की जा रही उन प्रमुख चुनौतियों की चर्चा कीजिए जो बुजुर्गों के लिए कल्याणकारी योजनाओं की परिकल्पना, विकास और उनके क्रियान्वयन से सबंधित हैं।सरकार द्वारा हाल ही में उठाए गए कदम इन चुनौतियों का किस हद तक समाधान करते हैं?

India currently has 103 million senior citizens, & will have 1/6th of worlds 60+ population by 2030.

India faces a situation where-

① 70% elderly are without income support / dependent on families.

② Face mental/physical harassment or nutritional/financial deprivation

③ Loneliness, sickness and lack of any financial or emotional security

④ Lack of government led old age homes, geriatric care & benefits.

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Despite justiciable rights under Protection & Welfare of Parents & Senior Citizens Act, 2007, the IGNOAPS, Natl. Programme for health care of elderly & Integrated Policy on older Persons, many challenges remain to be addressed -

① Reluctance of elderly to take children to court & social pressures.

② Older persons are not a political VOTEBANK, nor a consolidated social/economic group.
∴ WIDE DISPARITY in status.

③ Families of elderly do not want 'external intervention' + ~~Abs~~

④ Absence of awareness, ~~or~~ communication channels etc with elderly

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Government measures, though laudable, only address a part of the problem as -

1. MWPSC Act 2007 doesn't include parents without property, only with daughters & childless couples.
2. Access to IGNOAPS, healthcare programmes & police visits limited to urban & metro areas.
3. No financial commitment towards geriatric care, infrastructure provision etc.
4. May be argued it is 'neglected' section, though very important in future.

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5. Civil Society Organizations and Corporates share a symbiotic relationship, which can be leveraged to meet the developmental needs of India. Analyze. Also enumerate the CSR provisions under Companies Act, 2013.

नागरिक समाज संगठन तथा कॉर्पोरेट के सहजीवी संबंध, भारत की विकास संबंधी आवश्यकताओं की पूर्ति में लाभदायक हो सकता है। विश्लेषण करें। इसके अतिरिक्त, कंपनी अधिनियम 2013 के अंतर्गत सी.एस.आर. संबंधी प्रावधानों का उल्लेख करें।

Civil Society refers to ~~the~~ all non governmental organisations working for social, community or public interest & welfare.

They are seen to share a 'symbiotic' relationships in certain contexts with corporate groups as-

① They often fulfill funding or manpower needs of CSOs.

② Corporates need CSOs for local community welfare to avoid conflict eg. PepsiCo. Plant in TN.

③. Spirit of charity & altruism allow corporates to extend support explicitly & otherwise to CSOs.

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Even a) CSOs & Corporates are often 'opposed' to each other given their conflicting pursuits of 'public welfare v. private profit', companies like TATA have created synergies where profits are used for charity & social work.

It has been observed that a joint approach would be beneficial to India's development as-

① Gives 'human' face to companies
② Funding to CSOs.
③ Improves confidence of locals if CSOs & corporates collectively work for welfare eg. Lays in Punjab.
④ Creates credible & quality NGOs for further accountability & funding.

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(5) Self-motivated pursuit of 'inclusive development' becomes a social revolution.

CSR has been added within the Companies Act 2013 to say-

→ 2% of average profits of past 3 years to be utilised compulsorily towards CSR.

→ Applicable to large companies with turnover, profit & market capitalisation cut-offs.

Even as it has set an example for the world through CSR & increased convergences between corporates & development, provisions need to be tweaked to ensure that ACTUAL expenditure in desirable sectors takes place.

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6. According to a recent WHO report, India sees the largest number of suicides globally. In this context, enumerate the objectives and approach of India's new National Mental Health Policy. Also, explain what is Mental Health Action Plan 365.

हाल की डब्ल्यू.एच.ओ. रिपोर्ट के अनुसार, विश्व में सर्वाधिक आत्महत्याएं भारत में होती हैं। इस संबंध में, भारत की नवीन राष्ट्रीय मानसिक स्वास्थ्य नीति के उद्देश्यों तथा दृष्टिकोणों का उल्लेख करें। इसके अतिरिक्त, मानसिक स्वास्थ्य कार्य योजना 365 के संबंध में विस्तार से बताएं।

According to NCRB & WHO, India's per capita suicide rate remains very high despite legislative deterrence, Family structure & community & religious assoc-ictions.

This has often been linked to reported & largely unreported cases of mental illness such as clinical depression, dementia and schizophrenia.

It is seen to be a 'public health emergency' in a recent NIMHANS report where 20% + persons were currently in need of help, but absence of public mental

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healthcare, 0.3 psychatrists/1000 persons ratio & absence of local & individual awareness lead to deleterious consequences.
eg. women branded as 'witches' 'Kala jadu'.
The Mental Healthcare Bill, Policy & Action Plan 365 together provide for -
1) Recognition, enumeration, capacity building & treatment of mental health issues.
2) DECRIMINALISN of attempt to suicide under Bill. (S.307 IPC)
3) Creating mental health capacity in 200 District hospitals.
4) Increasing capacities for psychaitrists & psychologists.
5) Include ASHAs, Community based

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(इस भाग में कुछ ना लिखें)

and family based approaches.
The mental Health Action Plan 365, aside from the above also aims at providing ~~offe~~
1) Recognition & information about such illnesses.
2) Swift diagnosis & immediate Treatment
3). Linkages with RSBY, private health care
The state of mental Health needs to be recognised & treated as an illness & not a social/supernatural disorder.

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7. Urban sanitation has not received adequate attention at the national level in the past and few initiatives have been taken to tackle deficiencies in urban sanitation. In light of this, examine whether the Swachh Bharat Abhiyan can help in solving the urban sanitation problem.
अतीत में राष्ट्रीय स्तर पर शहरी स्वच्छता पर पर्याप्त ध्यान नहीं दिया गया तथा शहरी स्वच्छता में व्याप्त कमियों को दूर करने के लिए कुछ ही कदम उठाए गए थे। इस कथन के आलोक में इस बात का परीक्षण करें कि क्या स्वच्छ भारत अभियान शहरी स्वच्छता की समस्याओं के समाधान में सहायक हो सकता है?

Among 6/10 MDGs which India could not meet, Sanitation was at the bottom & showed India as one of the lowest ranked in this respect as -

1. 60% people defecate in the open
2. 56% people dont have safe drinking water
3. Garbage, solid waste management & related pollution increases healthcare costs & economic costs.

The blaming of 'social practices', absence of community led approach, funding & political will along with an appreciation of social costs made past programmes

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ineffective.

Nirmal Bharat Abhiyan, components of JNNURM and others since Community Development Programme (1952) have failed to address the problem & it has led to diarrhea, disease burden, pollution of rivers & groundwater etc.

Swachh Bharat Abhiyaan is a progressive scheme to invest financial, political & social capital into making Sanitation a National Goal [As Bangladesh did earlier]

SBM < Rural, Urban

Objectives

1) Open Defecation Free
2) Personal, community & Public Toilets.

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3) Removing manual scavenging
4) Door-to-door collection and 100% Solid Waste Management

Urban areas have seen garbage mounds, lack of piped water supply or sewage discharge along with general municipal apathy & inability to tackle garbage.

SBM along with Solid Waste Management Rules will help as –
1) Onus on waste producer to hand over / dispose effectively
2) Creates capacities to recycle, reuse & treat waste.
3) Makes it commercially profitable for municipalities.
4) Reduces health costs, diseases or insanitation.

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8. There is a need to move away from debates of 'public' versus 'private' provision of education towards models of education provision with public funding and private management. Discuss. Can such a move impact the quality and learning outcomes in elementary education?

अब शिक्षा के सार्वजनिक बनाम निजी प्रावधान संबंधी बहसों से आगे, सार्वजनिक वित्तीय सहायता तथा निजी प्रबंधन संबंधी प्रावधान वाले शैक्षिक प्रतिदर्शों की ओर बढ़ने की आवश्यकता है। चर्चा करें। क्या इस प्रकार का कदम प्रारम्भिक शिक्षा की गुणवत्ता तथा सीखने (अधिगम) की प्रक्रिया के परिणामों को प्रभावित कर सकता है?

Recently, ASER Report by PRATHAM showed that more than 65-70% children are enrolled in private schools, & overall learning outcomes have improved in private schools. Though major deviances exist.

Due to limited state capacities, 'education being a state subject' & expenditure stagnant at 1.6% of GDP has led to the private sector 'filling the gap' for a vastly increased need for ~~educat~~ quality education.

New models of administration have

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been suggested, such as public funded, privately managed schools.

Benefits

1) Reduces chronic funding requirement for ~~quasi~~ private schools.
2) Reduces liability of finances on parents.
3). Reduces state burden to expand quantity, while allowing focus on quality.
4). Gives students 'Right to choose' schools as per outcomes.
5) Under Art. 15(5), allows for reservations for EWS under RTE for aided schools, along with increased academic standards.

Drawbacks

1) Similar schemes create avenues for collusion & corruption as public funds used for private gain.

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2) Even if education is societal necessity, 'educators' do it for the profit motive. (Conflict of interest).

3). Further neglect of public education, which has adequate quality & scope for improvements

4) Lack of control over private schools despite funding.

Even as the idea is novel, tech-aided accountability & real time assessment will be needed for this. Chhatisgarh used this model for PDS, & it is seen that private competition often fosters better quality & outcomes.

∴ Desireable, if adequate safeguards against collusion & corruption taken.

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9. The Juvenile Justice (Care and Protection of Children) bill recently passed by the Parliament is a regressive step towards protecting child rights in India. Examine.
हाल ही में संसद द्वारा पारित किशोर न्याय (बच्चों की देखभाल और संरक्षण) विधेयक भारत में बाल अधिकारों की रक्षा की दिशा में एक प्रतिगामी कदम है। परीक्षण कीजिए।

The Juvenile Justice (Amendment) Act, 2015 has been passed so as to make provisions for -
① Adoption ② Foster Care ③ Juvenile Homes ④ Special Courts ⑤ Definition of 'Juvenile' ⑥ Process of punishment.

Even as the Act improved lacunae of the 1986 legislation, and made juvenile justice in line with Article 23 & 24, 15(3) & UDHR, the particular provision of 'definition of JUVENILE & the alternate procedures created for them have led to concerns

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As per JS Verma Committee (2013), definition of juvenile changed to those under 18, except -
→ Those between 16-18 &
→ committing heinous crimes &
→ Adjudged by Juvenile Justice Board to be tried as an adult.

Concerns -
1) No other law in India, civil or criminal makes distinction for such 'perceived maturity' at age 16. All are 18.
2) UDHR & ICCPR bind India at 18, along with Conv. on Rts of Child.
3) Exposure of young minds, regardless of crime, to adult jails invariably make them HARDENED CRIMINALS
4) Evidence of the 'societal threat

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for revenge' & knee jerk reaction post Nirbhaya.

5) Objective of criminal justice system is not retribution only, but also reformation.

Therefore, in line with other progressive elements, a need exists to ~~redu~~ end dichotomy & discretion in age selections.

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10. "In a nation of one billion cell phones, M-governance or mobile governance has the potential to make development a truly inclusive and comprehensive mass movement". Illustrate how M-government can bring in more transparency and accountability in government functioning. Also, discuss the challenges in implementing M-government.

"एक अरब सेल फोन वाले देश में एम-शासन या मोबाइल शासन में, विकास को वास्तविक रूप में समावेशी तथा व्यापक जनांदोलन का रूप प्रदान करने की क्षमता है।" दृष्टांत के साथ व्याख्यायित करें कि एम-शासन किस प्रकार सरकार के काम-काज में और अधिक पारदर्शिता तथा उत्तरदायित्व ला सकता है। इसके अतिरिक्त, एम-शासन के कार्यान्वयन में आ रही चुनौतियों पर चर्चा करें।

India's 'mobile revolution' provides a unique opportunity to assess, communicate with & provide information & services to all persons through telecom & the internet.

In countries such as Kenya, the use of mobiles for payments created 'm-pesa', which revolutionised Kenya by mobile money, digital payments, reducing black money & ensuring accountability.

India has also devised methods such as e-gov portal,

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m-kisan, payment systems, kilkari app etc. for mobile based communication.

Mobile governance refers to a bilateral mode of communication, information, service delivery & grievance redressal through mobile telephony or internet.

Schemes of the government, such as for enabling mobile payments (UPI, payment banks, BBPS), providing information [m-Kisan, weather advisories, Soil Health Card] service delivery [DBT + JAM] & grievance redressal (e-gov portal, social media, RTI) have attempted to improve 'm-governance', but with limited success.

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Development can be made truly democratic by mobiles as-
① e-transactions ② e-price discovery ③ Information symmetries ④ Education ⑤ Complaint registration ⑥ Ensure accountability.

This improves government func^n by creating records of communication & transactions, which ensure accountability & action.

Challenges-
1) Mobiles still absent from 200 million persons. (30 mln families)
2) Internet Divide, as only 300 million have internet access
3) Bureaucratic delays & unwillingness.
4) Lack of physical infrastructure can be overcome fully by digital.

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11. The Rights of the Persons with Disabilities Bill, 2014 fails to adopt United Nation Convention on the Rights of Persons with Disability (UNCRPD) in its true spirit. Examine. Also, highlight the recent suggestions made by the Standing Committee on Social Justice and Empowerment in this regard.

नि:शक्तजन अधिकार विधेयक-2014, नि:शक्तजनों के अधिकार पर संयुक्त राष्ट्र संघ के अभिसमय (यू.एन.सी.आर.पी.डी.) को सही अर्थों में अपनाने में विफल रहा है। परीक्षण करें। इसके अतिरिक्त, इस संबंध में सामाजिक न्याय तथा सशक्तीकरण से संबंधित स्थायी समिति द्वारा प्रदत्त सुझावों पर प्रकाश डालें।

The RPD (equal opportunities & access) Bill 2014 has been mooted to replace the 1995 legislation governing rights of persons with disabilities.

Even as both legislations are said to be in line with the UNCPRD, it is seen that the 'letter' & 'spirit' of the law leave a huge chasm.

1). Financial support to disability schemes not given a 'rights' approach as word used is 'may' not 'shall'.

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2) Definition of disability is seen to exclude those with special & minor disabilities.

3) Provision of public infrastructure access, reservations & support also not within 'mandatorily enforceable' regime.

4). Community Based Approach towards management of disability absent from new Bill despite proven efficacy

5). Shifts onus to state governments & disabled themselves to identify & register themselves as such.

6) Social stigma & economic cost of disability remains unaddressed.
eg. ALIMCO makes artificial prosthetics, may be subsidised.

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As per Parliamentary Standing Committee along with other subject experts, it is seen that a 'State-led entitlement' approach is ill advised. It must be substituted with community led approach of management of disability, reducing stigma, Equal opportunities & availability of access to all.

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**12.** An empowered Gram Sabha is the bedrock of successful local governance. In this context, analyse the role of Gram Sabha as a pillar of development. What steps can be taken to strengthen their functioning?

एक सशक्त ग्राम सभा सफल स्थानीय शासन का आधार है। इस संदर्भ में, विकास के एक स्तंभ के रूप में ग्राम सभा की भूमिका का विश्लेषण कीजिए। उनके कामकाज को मजबूत करने के लिए क्या कदम उठाए जा सकते हैं?

Gram Sabha, ~~as~~ is the group of all villagers ~~of adult~~ (18+) who constitutionally (Part IX) take part in electing PRIs & in deciding development prospects in a village.

Under Article 40, Gram Sabha is a 'lynchpin' of grass roots democracy & of 'real Swaraj' as envisaged by Gandhiji.

Gram Sabha has been used extensively for multiple ends ⇒

1) Village Development ⇒ Decide schemes, funding allocation.

2) Beneficiaries ⇒ Under various schemes, selection by Gram Sabhas.

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3) Social Audit => eg NREGA
4) Developmental Projects => Under Forest Rights Act, decide whether to allow it.
5) Collective Social & Political Action.

Experts support such empowerment on the basis of decentralisation & 'Principle of Subsidiarity'.

Concerns, however are raised on the otherwise progressive role of Gram Sabha =>
① Ambedkar called village as the prime instrument of oppression & subjugation.
② Caste groups or economically advanced communities lead.
③ State involvement ~~dissuade~~ & interference dissuade honest discussion & debate.

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Therefore, there is a need to broaden scope of Gram Sabha & its functions while safeguarding dialogue & discussion -

i). Divide into Mohalla Sabhas in villages [Caste/religion based usually] for better expression of views

ii) Disallow state/corporate interests from interfering

iii) Empower locals to disagree with Sarpanch by education, awareness & access.

iv) Improve revenue streams & funding of PRIs to take more action.

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13. The recent amendments to Child Labour Act seek to strike a balance between the need for education of a child and the reality of the socio-economic conditions. Critically evaluate.
बाल श्रम अधिनियम में हाल में किये गए संशोधनों का उद्देश्य किसी बालक की शिक्षा की आवश्यकता तथा सामाजिक-आर्थिक स्थिति की वास्तविकता में संतुलन स्थापित करना है। आलोचनात्मक मूल्यांकन करें।

Child Labour (Prohibition) Act 1980 has recently been amended in tune with Arts. 15(3), 23, 24, 46 and changing socio-economic values of society.

1). Children below 18 barred from working in hazardous occupations,

2) Children can be employed in 'family vocation or profession' to allow skilling & assistance during school holidays etc.

3) Increased fines & cognisance for employing minors in hazardous/non hazard occupations or for not sending them to school.

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The legislative & academic dilemma has been balancing the rights of child to education & freedom versus economic needs of family & differences in conception of 'role of child' in a family.

Despite a larger social movement towards education, many children, under family pressure or necessity, leave education to pursue low value unskilled employment [zari work, bangle making, carpet & textiles].

This leads to exploitation, low education, nutrition & absence of skilling & value addition.

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However, the Bill is seen to neglect historical practice & necessity by capping age at 18, whereas the need for education is only envisaged till 14 [6-14 u/Art. 21A], and the RTE may need to be amended in consonance with the same.

Thus, the moral confusion may be solved by the Radhakrishnan Committee (1952) which said-

i) At 14, give choice b/w education & vocational training & provide either.

ii) Will keep students busy till 18 & give skills which make him employable.

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14. Give an account of the features of 'Housing for All by 2022' mission. Also, discuss the challenges that lie ahead in its implementation.
"2022 तक सबके लिए आवास मिशन" की विशेषताओं का विवरण दें। इसके कार्यान्वयन के मार्ग में आने वाली चुनौतियों पर भी चर्चा करें।

'Housing For All' by 2022 is a mission of Ministry of HUPA which aims at making 2 million houses available in urban & rural areas for dignified living, pucca house, & also disaster resilience & environment management.

An acute need to provide housing exists with 3 million 'kacha/ slum dwellings' which are against art. to life with dignity under Article 21.

~~Methode~~

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Carried out through -

1) Beneficiary led construction upon payment of sum.

2) Interest linked subsidy Plan.

3). Affordable Housing through PPP

4). Slum Rehabilitation — In Situ / Ex Situ.

Thus, 2 million houses are to be constructed upon-

1) Flood, earthquake, lightning resistant material.

2) Environmentally sustainable

3) Based on National Building Code & GRIHA

4) Extensive use of pre-fabricated technology ~~etc~~ & other sustainably recycled & efficient methods.

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Challenges

i) Political value of slums, economic value of land they occupy make redevelopment challenging.

ii) Beneficiary led construction has questionable outcomes despite safeguards

iii) Materials used are not always sustainable.

iv). Delivery in inaccessible areas is a challenge. eg. North East.

v). May be doorway to corruption similar to agriculture interest subsidy programme.

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**15.** Enumerate the directives laid down by the Supreme Court for police reforms in the Prakash Singh case. Discuss the challenges faced in implementing these reforms.
प्रकाश सिंह वाद में पुलिस सुधारों के लिए सर्वोच्च न्यायालय द्वारा दिए गए निर्देशों का उल्लेख करें। इन सुधारों के कार्यान्वयन में आने वाली चुनौतियों पर चर्चा करें।

Paakash Singh v. UoI (94) by the Supreme Court laid down Police Reforms based on National Police Commission and ~~Sath~~ Malimath Committee recommendations to
① Reduce politicisation
② Improve citizen orientation & efficiency
③ Autonomy, operational reforms.

Even though it is widely seen as Judicial Overreach & is ∴ not implemented, the SC had laid down-
1) Police Complaints Authority under independent persons to investigate into complaints.
2) Police Establishment Board to appoint & select persons ~~from~~

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for sensitive posts.

3). UPSC based selection procedure for DGP of states & for selecting field level officials by the PEB itself.

4) Day to day political interference to be reduced in writing.

5). Security of tenure (3yrs).

However, despite progressive judgements like Prakash Singh, TSR Subramanian & Vineet Narain, existing issues have stalled their implementation →

1) Judiciary cannot direct Parliament to pass a law

2) Police & LSO are state subjects, & individual state legislatures

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not subject to SC directions within house u/ Art. 212.

3). Political accountability of police is democratic requirement & keystone of freedom struggle.

4). Police officials in charge are also subject to similar nepotism, corruption & partisanship.

Therefore, stress must alternatively be on Santhanam & Malimath Committee reports, which suggest

① Insulation of prosecution wing
② Separate investigation from L&O.
③ Appointment & transfer power to DGP + security of tenure
④ End political corruption.

which are more advisable & practicable.

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16. What is E-Kranti? How is it an improvement over National e-Governance Plan? Discuss the challenges foreseen in the implementation of E-kranti.
ई-क्रान्ति क्या है? यह किस प्रकार राष्ट्रीय ई-शासन योजना का परिष्कृत रूप है? ई-क्रान्ति के कार्यान्वयन संबंधी पूर्वानुमानित चुनौतियों की चर्चा करें।

'E-Kranti' is NeGP 2.0, as the original NeGP (2008) with 31 mission mode projects & other schemes had become obsolete given ① Presence of new softwares, platforms & technologies.
② Increased access to tech by public
③ Role of internet, social media & service delivery.

∴ E-kranti improves over NeGP as-
① 'Portal' approach where two-way communication possible & desirable. eg. ⇒ e-gov.in.
② Platform-neutral ⇒ Can be used via mobile, tablet, computer or applications & other platforms.

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(3) Interactive & Real Time - with PRAGATI, m-Kisan and other local & sectoral devices & schemes

(4) Larger role to 'CSC' Common Service Centres in Gram Panchayats for education, services etc.

(5) Integrated with JAM-DBT-Jan Dhan

However, numerous challenges exist in full implementation :)

1) Digital connectivity to 2.56c GPs under Digital India has not provided even 20% of total till now.

2) 'Digital Divide', as those who can use are already urban, young & well to-do. ∴ e-enabled apps & solutions further divide people.

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3) Data Security is a major challenge as cyber attacks increase, cloud storage & unsecured networks.

4) Privacy & secrecy of data is also a judicial & media concern.

5) Information, Digital literacy & availability of devices, platforms & internet speeds are still challenged.

∴ e-kranti needs to be preceded by Digital India (connectivity, literacy & service delivery) before utilising its benefits fully.

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17. Some provisions of Official Secrets Act, 1923 go against the spirit of Right to Information. Explain. In this context, examine whether this necessitates repealing of the Official Secrets Act.

सरकारी गोपनीयता अधिनियम, 1923 के कुछ प्रावधान सूचना के अधिकार की भावनाओं के विरुद्ध हैं, व्याख्या करें। इस सन्दर्भ में, इस बात की जांच करें कि क्या इसके लिए सरकारी गोपनीयता अधिनियम को निरस्त करने की आवश्यकता है?

Official Secrets Act is a colonial era legislation designed to preserve & perpetuate secrecy of government records & deliberations through wide definitions & liberal interpretations in the name of 'national security'.

Given a global transparency movement & the RTI revolution in India, it is seen that only the organisations within Schedule II or S.8 of the RTI Act can be exempt from disclosure.

~~However~~,

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However, given a historical distaste for transparency within governance & an apparent conflict of interest, it is seen that OSA, 1923 is often invoked to safeguard files which are not covered under RTI Act exemptions.

Differences between RTI & OSA

| RTI | OSA |
|---|---|
| • 'Transparency as rule, | • Secrecy as rule. |
| • Appellate procedure | • No appeal if file classified as 'secret' |
| • 30 day disclosure | • 50 year period for mandatory disclosure of files (optional) |
| • Based on citizen centric mode of governance | • Government & secrecy centric. |

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However, many government files & documents could compromise either security of state, foreign relations or schemes & policies.

∴ Need for legislative or judicial DILUTION of OSA, 1923 to make 'harmonious interpretation' with given RTI Act & other contemporary jurisprudence.

∴ Need to dilute & reassess, not repeal.

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**18.** Despite increasing awareness of beneficiaries, social audits have not played a significant role in reducing malpractices and detecting irregularities. Discuss. How can social audits be made more effective?
लाभार्थियों की बढ़ रही जागरूकता के बावजूद सामाजिक लेखांकन ने भ्रष्टाचार को घटाने तथा अनियमितताओं का पता लगाने में महत्वपूर्ण भूमिका नहीं निभाई है। चर्चा करें। सामाजिक लेखांकन को किस प्रकार और अधिक प्रभावी बनाया जा सकता है?

Social Audits are mechanisms of transparency & accountability which allow the community [Gram Sabha] to assess, cross check & change the composition of benficiaries, expenditure & payments made.

It was initiated in Rajasthan by MKSS to increase transparency & reduce corruption in NREGA, by involving & educating the community.

However, such audits have not been very effective as-

① Caste / community loyalties trump

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loyalty to state exchequer.

② Presence of politically or economically powerful vested interests.

③ Low bargaining power of a village resident, to risk raising questions

④ 'Spoils' system involves ALL persons as profiteering at the state expense. ∴ Conflict of interest

⑤ Women/SC/ST Sarpanches and others cannot often enforce social audits against vested interests.

⑥ May not happen as they are not mandatory, nor are they recorded. Often not executed.

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Effectiveness can be increased by –

1. Digitilation of records & collation to check discrepancy.
2. Digital/video recording of Gram Sabha meeting.
3. Mandatory provision of social audit.
4. Presence of local NGOs, govt. officials etc. to prevent abuse.
5. Social movement so as to provide better allocation of resources in common benefit.
6. Change societal ethics & disbalance of powers in village (longterm).

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19. Nutrition status is linked to non-nutrition factors. In light of this statement, examine why despite a fast growing economy and the largest anti-malnutrition programme, India has the world's worst level of child malnutrition. What steps has the Government taken to to tackle the malnutrition problem in India?

पोषण की दशा का सम्बन्ध गैर-पोषण कारकों से है। इस कथन के आलोक में, इस बात की परख करें कि तीव्र गति से बढ़ रही अर्थव्यवस्था तथा सबसे बड़े कुपोषण-रोधी कार्यक्रम के बाद भी, भारत विश्व में बाल-कुपोषण के संदर्भ में निम्नतम स्तर वाले देशों में शामिल है।

India's problem with nutrition deficiency, which leads to Stunting, wasting & malnutrition result in lower educational & learning outcomes, productivity issues, illness & growth problems.

WHO & AIIMS have both shown the prevalence of structural & non-nutrition factors as the root cause of malnutrition -

i) Sanitation => Biggest killer of children, results in diarrhea, cholera loss of nutrition & energy & leads to major malnutrition.

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ii) Society & Family ⇒ Elders eat first, males eat first. Result in inadequacies within families in spite of availability.

iii) Service delivery ⇒ PDS & NFSA still not operational in backward & tribal areas of Jharkhand, MP, Maharashtra & Odisha, leading to higher malnutrition

iv) Govt Policy ⇒ Overemphasis on CEREALS leads to lack of balanced diet, as MSP, PDS etc only provide cereals primarily.

v) Healthcare ⇒ Maternal & infant medical services, access to hospitals, medicines etc. along with disease resistance also hamper nutrition

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Despite ICDS since 1975, JSY, JSSY, ~~Ko~~ IGMSY & SSK, access to nutrition & child malnutrition are very high in India as per HUNGAMA Report & WHO.

Steps taken –

i) Immunisation under Indradhanush
ii) NFSA entitlements to ICDS & Mid Day Meal
iii) Digitisation, PPP & grain mgmt to increase disbursal & efficiency.
iv) Green Revolution II in Eastern India
v). Vanbandhu Kalyan Yojna.

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**20.** Autonomous District Councils (ADCs) based on the Sixth Schedule of the Constitution of India are described as 'State in miniature'. Elaborate. Also, critically evaluate the functioning of ADCs over the years.

भारतीय संविधान की छठी अनुसूची पर आधारित स्वायत्त जिला परिषद (ए.डी.सी.) को 'लघु रूप में एक राज्य' के रूप में वर्णित किया जाता है। व्याख्या करें। इसके अतिरिक्त, पिछले वर्षों के दौरान ए.डी.सी. की कार्य प्रणाली का आलोचनात्मक मूल्यांकन करें।

Under the 6th Schedule, Autonomous District Councils were created in Assam [Karbi-Anglong], ~~Nag~~ Nagaland [Tenusang] & now in West Bengal [Darjeeling] for-

i) Respecting differences in culture & governance & providing self administration

ii) Historical reasons for tribal communities.

iii) Tribal laws often incompatible with constitution & state laws

These are regarded as states in miniature as they are entrusted with-

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(इस भाग में कुछ ना लिखें)

Land alienation & transfer, money lending, markets & shops. local education, criminal justice within tribes (very limited) along with local self administration in health, education, sanitation, urban planning, local infrastructure etc.

It is seen as a 'miniature state' due to extensive heads under which councils make 'laws', high degree of independence from state government as 'administration' of ~~Schedule~~ Tribal Areas entrusted to governor & through Supreme Court & Parliament's tolerance for autonomy & self rule as per customs & traditions.

Don't write anything this margin (इस भाग में कुछ ना लिखें)

However, ADCs have often become political battles for adverse ends eg. Darjeeling 'Bloody' Struggle.
Despite providing autonomy & welfare of local areas Δ in raising aspirations, they have played a partly negative role -

i) Non tribals or other tribals living in the area not protected

ii) Essential functions of state like criminal justice system often stalled.

iii) Hotbeds of corruption or even ~~terrorism~~ secessionist acts, eg. [Dimo-Hasao Council].

~~iv)~~ However, as India is a group of 'State Nations' as per Yogender Yadav, its largely seen to be desirable

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## GENERAL STUDIES (TEST CODE : 1021)

| | | | |
|---|---|---|---|
| Name of Candidate | ADITYA VIKRAM YADAV | | |
| Medium Eng./Hindi | ENGLISH | Registration Number | 28474 |
| Center | RAJINDER NAGAR | Date | 26/7/17 |

### INDEX TABLE

| Q. No. | Maximum Marks | Marks Obtained |
|---|---|---|
| 1 | 12.5 | |
| 2 | 12.5 | |
| 3 | 12.5 | |
| 4 | 12.5 | |
| 5 | 12.5 | |
| 6 | 12.5 | |
| 7 | 12.5 | |
| 8 | 12.5 | |
| 9 | 12.5 | |
| 10 | 12.5 | |
| 11 | 12.5 | |
| 12 | 12.5 | |
| 13 | 12.5 | |
| 14 | 12.5 | |
| 15 | 12.5 | |
| 16 | 12.5 | |
| 17 | 12.5 | |
| 18 | 12.5 | |
| 19 | 12.5 | |
| 20 | 12.5 | |

Total Marks Obtained:

Remarks:

### INSTRUCTIONS

1. Do furnish the appropriate details in the answer sheet (viz. Name, Registration Number and Test Code).
   उत्तर पुस्तिका में सूचनाएं भरना आवश्यक है (नाम, प्रश्न-पत्र कोड, विद्यार्थी क्रमांक आदि)।
2. There are TWENTY questions printed in ENGLISH & HINDI
   इसमें बीस प्रश्न हैं अंग्रजी और हिन्दी में छपे हैं।
3. All questions are compulsory.
   सभी प्रश्न अनिवार्य हैं।
4. The number of marks carried by a question/part is indicated against it.
   प्रत्येक प्रश्न/भाग के अंक उसके सामने दिए गए हैं।
5. Answers must be written in the medium authorized in the Admission Certificate, which must be stated clearly on the cover of this Question-Cum-Answer (QCA) Booklet in the space provided. No marks will be given for answers written in medium other that the authorized one.
   प्रश्नों के उत्तर उसी माध्यम में लिखे जाने चाहिए जिसका उल्लेख आपके प्रवेश पत्र में किया गया है और उस माध्यम का स्पष्ट उल्लेख प्रश्न-सह-उत्तर (क्यूसीए) पुस्तिका के मुख्य पृष्ठ पर अंकित निर्दिष्ट स्थान पर किया जाना चाहिए। उल्लिखित माध्यम के अतिरिक्त अन्य किसी माध्यम में लिए गए उत्तर पर कोई अंक नहीं मिलेंगे।
6. Word limit in questions, if specified, should be adhered to.
   प्रश्नों में शब्द सीमा, जहाँ विनिर्दिष्ट है, का अनुसरण किया जाना चाहिए।
7. Any page or portion of the page left blank in the Question-Cum-Answer Booklet must be clearly struck off.
   उत्तर पुस्तिका में खाली छोड़ा हुआ पृष्ठ या उसके अंश को स्पष्ट रूप से काटा जाना चाहिए।

# EVALUATION INDICATORS

1. Alignment Competence
2. Context Competence
3. Content Competence
4. Language Competence
5. Introduction Competence
6. Structure - Presentation Competence
7. Conclusion Competence

**Overall Macro Comments / feedback / suggestions on Answer Booklet:**

1.

2.

3.

4.

5.

6.

**All the Best**

Don't write anything this margin (इस भाग में कुछ ना लिखें)

**Answer all the questions in NOT MORE THAN 200 WORDS each. Content of the answers is more important than its length. All questions carry equal marks.**

**12.5X20=250**

1. Identify the key objectives of the Protection of Children from Sexual Offences (POCSO) Act, 2012. Also highlight the challenges in its implementation.

   यौन अपराधों से बच्चों का संरक्षण (POCSO) अधिनियम, 2012 के प्रमुख उद्देश्यों की पहचान कीजिए। साथ ही, इसके क्रियान्वयन में आने वाली चुनौतियों पर प्रकाश डालिए।

The POCSO Act, 2012 was enacted to ensure a dedicated legislation for protecting children below the age of 18 from sexual offences, as the current provisions under IPC were largely seen inadequate, despite the Protection of Child ~~Rights~~ Rights Act.

The objectives of POCSO are -

① Prevention of sexual offences against boys & girls under 18 years.

② Prevention, detection and prosecution of online sexual abuse of children

③ Dedicated mechanism within police and special POCSO courts for

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swift justice

(4) Assuring swift prosecution and anonimity to victims through special public prosecutors, courts etc.

(5) Expanding definition of sexual offences to ensure comprehensive protection.

(6) Education, awareness and being in line with International Conventions

---

Given that the Act was passed amidst much expectation, given high rates of reported & unreported abuse, lack of awareness, social stigma & consequences of sexual predatory on children's mental & physical development.

However, some issues in the implementation of the Act have remained a cause for concern-

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① Despite strict punishments, conviction rate is below 20%.

② Despite special courts and prosecutors, average time for disposal of cases has not reduced.

③ Police & investigative agencies remain reluctant to charge persons under POCSO. It is source of rent seeking too.

④ Malicious prosecution & 'fake reporting' & rent seeking rackets have reduced credibility of 'child witness's account' as evidence.

⑤ Loopholes within the Act despite Burden of Proof on accused have led to high acquittal rate.

⑥ Often, evidence is only child's account, making it difficult to convict.

Therefore, there is a need for societal awareness within criminal justice system towards plight of children and swifter justice for victims.

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2. Discuss how the design of MGNREGA program makes it more successful than other rural development programmes.

चर्चा कीजिए कि मनरेगा कार्यक्रम की अभिकल्पना (डिजाईन) इसे अन्य ग्रामीण विकास कार्यक्रमों की तुलना में कैसे अधिक सफल बनाती है।

The MGNREGA was initiated in 2005 based on Maharashtra's basic 'right to employment' model, even as it remains an assurance & not a right, given NREG Act, 2004.

~~NRE~~ MGNREGA has created over ten crore rural assets, employed women (40%+), SCs/STs (30%) ~~and~~ landless and other rural households for over 10 million mandays in 10 years, creating sustainable assets for public good & infusing money in the hands of the needy.

The design of MGNREGA makes it more effective as-

① Devolved to Gram Panchayat,

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Therefore works undertaken are of local use, unlike strait jacket CSS schemes.

(2). Funds transferred through AEPS on postal / bank account of the workforce, reducing leakages.

(3). Social audit mechanism, which allows for transparency has also reduced scope for rent seeking.

(4) Awareness generation & publicity is carried out through local, state & at national levels.

(5). Online updation & archiving of all MGNREGA transactions on Ministry site has led to better research & identification of issues.

(6) Discretion of individuals to work 'on demand'

(7). No need for documents or identity papers beyond Job Card for jobs.

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Thus, as most other schemes of the Centre for rural development suffer from -

1. Straitjacket (one size fits all)
2. Lack of transparency in allocation and disbursal of funds.
3. centralised approach without outcome analysis.
4. Predominance of bureaucrats in implementation, and not a 'grassroots' approach.
5. Lack of responsiveness & result orientation for periodic modification of schemes
6. Lack of e-governance, social audit or other transparency measures.

Thus, NREGA through its sheer efficiency of design & ~~eco~~ socio-economic utility, has become a successful scheme in 10 years.

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3. Self-employment of the poor has been an important objective of the anti-poverty programmes and SHGs have played a significant role in this. Elucidate with examples. Also discuss the problems which plague the model of SHG micro-finance in India.

गरीबों के लिए स्व-रोजगार वस्तुतः गरीबी उन्मूलन कार्यक्रमों का एक महत्वपूर्ण उद्देश्य रहा है तथा SHGs ने इसमें एक महत्वपूर्ण भूमिका निभाई है। उदाहरण सहित स्पष्ट कीजिए। साथ ही, भारत में SHG माइक्रो-फाइनेंस (सूक्ष्म वित्त) के मॉडल को अवरुद्ध करने वाली समस्याओं पर चर्चा कीजिए।

Self employment has been seen as the 'panacea' for issues of unemployment, poverty, health & nutrition, alongside bridging of rural-urban divide in India, while spurring economic growth.

The concept of 'Self Help Groups' in the 1980s, the ~~SGSY~~ SGSY, NRLM, STEP and other schemes have long focussed on generation of self employment in rural areas.

However, the most successful model for the same has been seen via Self Help Groups, with the assistance of Microfinance institutions,

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NABARD and increased banking & market penetration.

Self Help groups have increased to over 80 lac throughout India, covering over 4 crore women, largely from disadvantaged households.

eg. Lijjat Papad ⇒ Rural women created SHG based cottage industry to make Papad & sell internationally.

Effect of SHGs →
① Women empowerment ② Income increase ③ Better health, education & nutrition outcomes ④ Social integration.

eg. SHGs in Tamil Nadu now bidding for taking over tourist sites for commercial business.

Other schemes such as the SHG Bank Linkage Programme, MUDRA,

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STEP, NRLM among others have also improved efficiency & capital of SHGs

Problems with SHGs micro finance

① High rates => MFIs are seen to charge 20-30% rates from SHGs, which is seen as oppressive.

② Reduced rates of payback => SHGs credit discipline has reduced to 85%.

③ Harassment and intimidation of SHG members over non payment eg. Andhra Pradesh.

④ SHGs now taking money for usual expenses, not capital expansion of sustainable enterprises

⑤ Lack of credit rating or platforms to bring lenders & borrowers together.

Therefore, there is a need to modify assistance to SHGs to increase self employment & increase reach of SHGs

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4. Give an account of the issues that arise due to short tenure of civil servants in India. Critically discuss the move of setting up a Civil Services Board in order to address this problem.

भारत में सिविल सेवकों के छोटे कार्यकाल के कारण उठने वाले मुद्दों का एक विवरण प्रस्तुत कीजिए। इस मुददे को संबोधित करने के लिए सिविल सेवा बोर्ड की स्थापना करने की पहल पर आलोचनात्मक चर्चा कीजिए।

Recent & research papers by the Carnegie Endowment show the average tenure of ~~officers~~ IAS officers to be 16 months, and show this to be the 'fundamental' reason for stoppages & gaps in governance mechanisms.

The issues which arise are -

① More time needed to learn about job than to do job.

②. Reluctance to take major decisions as can't carry through because of short tenure

③. Reluctance to take politically sensitive decisions for fear of transfer. + Politicisation of officers.

④. Policies initiated are stalled as

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soon as initiating officers are transferred, leading to wastage of funds & resources

5. Authority over staff reduces as they are assured that each incumbent is not for long.

6. Schemes, policies etc cant be implemented as leadership of department doesnt have 'experience', depth or interest in matter.

7. Officer's morale goes down and motivation for work reduces

The problem is as acute at the Centre & more so in states. Thus, the 2nd ARC has recommended a 'Civil Services Board' on the lines of the British system to 'insulate' bureaucrats from political influence & pressures. It has both pros and cons-

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Pros -

1. May ensure longer tenures
2. Leads to picking of most technically sound officer, not politically desirable
3. Accountability of officers for schemes & policies under them improves
4. Result orientation & reduced politicisation of civil services.

Cons

1. Need control of Political leadership over government in Parliamentary democracy.
2. May reduce accessibility of officers
3. Piquant situation where civil servants have power, but the Council of Ministers is held accountable.
4. May lead to nepotism and also favouritism among bureaucrats.

Thus, even as it is a desirable idea, need to introduce accountability for civil servants so as to create equity.

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5. India's health system is one of the most privatised in the world, poorly regulated and accessible only to those with income levels well above the average. Comment.

भारत की स्वास्थ्य प्रणाली विश्व में सर्वाधिक निजीकृत प्रणालियों में से एक होने के साथ-साथ, अपर्याप्त रूप से विनियमित और केवल औसत आय के स्तर से ऊपर के लोगों को सुलभ है। टिप्पणी कीजिए।

Given that the State spends 1.6% of GDP on healthcare, where the desireable rate is 4-5%, healthcare has been 'taken over' by the private sector due to structural inadequacies of government structure.

80% of in-patient & 85% of outpatients are in private hospitals, as government PHCs, CHCs and district hospitals are understaffed, underpaid, have absenteeism, low stocks of medicines & equipment and inadequacy of infrastructure.

It is also seen that as Health is a state subject, 'multiple regulators' such as MCI, Dental

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Pharma Councils, State Health department, GoI etc. lead to 'overregulation' of unneeded areas, whereas 'underregulation' of private hospitals, prices, drugs, procedures and ethical practices has led to -

① Disease resistance.
② Disease induced poverty due to over-diagnosis & over-charging.
③ Collusion with Pharma and regulatory agencies.

With the breakdown of public health structures, the 'extractive' value of private sector is seen through high prices & costs, which leads many into poverty & even incentivizes 'silent suffering' without visiting

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doctors, instead go to quacks & vaids.

Therefore, there is a need to ensure a higher rate and efficiency of State & central expenditure on healthcare, while restructuring MCI to perform its desired roles of regulation.

There is also a need to continue regulation of medicines & implements under NLEM. while ensuring prescription of cheaper generic medicines via Jan Aushadhi Stores.

Reducing absenteeism, vacancies while increasing capacity of government hospitals will ensure an affordable, accessible and an equitable system, which is needed to stop pushing people into poverty due to health expenses.

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6. Keeping in mind the importance of NGOs in India's development process it is imperative that adequate legal and regulatory mechanisms should be in place. Discuss in the context of recent developments.

भारत के विकास की प्रक्रिया में NGOs के महत्व को ध्यान में रखते हुए इनके लिए पर्याप्त कानूनी एवं विनियामक तंत्र का होना अत्यावश्यक हो जाता है। हाल के विकास संदर्भ में चर्चा कीजिए।

Non Governmental Organisations is seen to refer to those Societies, Trusts or non profit (U.S.25) Companies which are primarily engaged in socio-economic, political, cultural or regional growth & development.

Such organisations have played an instrumental role in aiding, advising, criticising & even in reforming government policy.
eg. RTI Act, NREGA, Time bound service delivery..

Additionally, they provide evidence based feedback, assist implementation of schemes and even act as beneficiaries and channels for the

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effective penetration of schemes to the 'Antodaya'.
Thus, taxation (u/ IT Act), investment (FCRA) and regulatory mechanisms need to be built in a manner so as to better regulate & channel NGOs towards a public oriented & transparent mechanism.

Recently, the probes into Foreign Contributions, removal of FCRA license of 'delinquent' organisations along with reduction in government aid has affected NGOs adversely.
This has had the effect of removing NGOs which worked as 'conduits' of black money and government largesse without working on the

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ground. However, given the instrumental & indispensible role of NGOs in advising, reporting, implementing, auditing giving feedback & popularising initiatives of government, there is a need to 'regulate', not 'restrict'.

(1). Need cancellation of 'shell' NGOs so that burden of regulator can be shifted to working NGOs.

(2) Rating system to judge efficient use of funds, ground impact etc. for funding. eg. Akshaya Patra.

(3) Build database of NGOs which specialise in sectors to utilise them fully

(4) Reduce harassment via online mechanisms for reporting FCRA etc.

∴ Under Principle of Subsidiarity, must include NGOs for



efficient delivery of schemes on ground.

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7. While on one hand, there has been proliferation of use of digital technology, on the other hand, resulting digital dividends have not been forthcoming. Analyse.

जहाँ एक ओर डिजिटल प्रौद्योगिकी के उपयोग का प्रसार बढ़ रहा है, वहीं दूसरी ओर परिणामी डिजिटल लाभांश प्राप्त नहीं हो रहे हैं। विश्लेषण कीजिए।

Digital technology has increased manifold in its extent & magnitude of penetration into daily lives through ease of access, efficiency, low costs and government initiatives, such as Digital India.

It is expected that India will 'leapfrog' into the 'Digital Age' with the first mover advantage to capture digital services, manufacturing and skilling.

It is seen that an emphasis on digital infrastructure expansion, digital literacy and digital services will positively impact education, health, agriculture, public administration, transparency, manufacturing

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cost efficiencies & shall affect all spheres of living.

However, the response to and the effect of such technologies has not been very forth coming.

Positives

① MOOCs, digital repositories and e-books have improved learning outcomes.

② DBT-JAM has increased cost efficiency & reduced leakages.

③ m-Kisan, Fasal Bima Yojana & Kisan TV has been seen to improve awareness & responsiveness.

④ Increased connectivity, transparency etc via mobiles, internet etc.

Negatives

① 'Digital Divide', wherein 40% of population has no literacy or access to digital devices,

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(2). 'Digital products are foreign produced as domestic digital hardware is not present, leading to reduction in employment & foreign exchange.

(3) Digitisation has reduced opportunities for employment via computerisation, AI & robotics.

(4) Efficiency & effectiveness of digital schemes not conclusive.

(5) Dividend in terms of foreign employment or export opportunities remain restricted.

(6) Increased risk of cyber attacks on systems.

Therefore, the creation of a 'Digital India' will only result in increased equitable growth if a comprehensive view is taken, including R&D, domestic industry, employment, digi literacy etc.

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8. The public policy requirements of the 21st century demand a bureaucracy less generalist in nature. Analyse in the context of Indian civil services.

21वीं सदी की सार्वजनिक नीति वस्तुतः एक कम सामान्यज्ञ नौकरशाही की मांग करती है। भारतीय सिविल सेवा के संदर्भ में विश्लेषण कीजिए।

Public Policy requirements refer to the perceived role of the state in socio-economic, cultural, infrastructural & legal & administrative spheres so as to equitably provide better living conditions to citizens.

It has often been argued that civilservants at the 'cutting edge' policy making & implementation levels remain 'generalists', wherein their responsibilities & duties are not based on their areas of technical or operational expertise.

Given the increasing integration of Indian society, increasingly complex

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economic structures & infrastructural issues, the Indian state is faced with novel challenges which require 'specialisation' & 'in depth' study aside from a broad multidisciplinary approach.

The Indian Civil Services comprise of two types ⇒

① ~~generalists~~ Administrators & generalists

IAS, State Civil Services & Secretarial services are 'generalists', although they have unmatched multidisciplinary understanding & expertise in administration

② Specialists

IPS, Trade Service, Railway services, Revenue service, Economic services along with State Irrigation, power & agricultural services etc.

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The need for 'specialisation' is as -

① Issues have become complex
eg. Biotechnology, statistics

② Economy & polity are changing, thus needing in-depth study & analysis.

Therefore, it is seen that specialisation would lead to a better understanding of issues & a more efficient delivery & policy system can be created with specialisation.

Routes ⇒ ① Compulsory specialisation for IAS/PCS officers

② Larger role to specialist services

③ Lateral entry of experts.

Thus, through recent attempts at getting lateral entrants at mid & top levels in Government of India & posting specialist officers in ministries, the Government has



recognised NITI Aayog recommendations.

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9. Explain how the National Digital Library (NDL) can bring a fundamental shift in the paradigm of education and research. Also highlight the challenges that need to be addressed to make NDL self-sustainable.

व्याख्या कीजिए कि राष्ट्रीय डिजिटल लाइब्रेरी (NDL) किस प्रकार शिक्षा व अनुसंधान के चिंतनफलक में एक आधारभूत परिवर्तन ला सकता है। साथ ही, NDL को आत्म-धारणीय (सेल्फ-सस्टेनेबल) बनाने हेतु उन चुनौतियों को रेखांकित कीजिए जिन्हें संबोधित किए जाने की आवश्यकता है।

National Digital Library refers to a public repository of all educational publications of Government of India which can be remotely accesed via mobile or other digital means via internet.

The NDL has been envisaged to-,

1. Improve access to credible publications for rural & remote areas
2. Broaden access from students to all persons for reference and self education.
3. Solve issue of 'affordability' of multiple books

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(4) Presence of public funded research & papers will broaden access of persons for further studies.
(5) Makes available different types of interdisciplinary material.

Thus, the NDL is seen to solve challenges of Access, affordability and availability of material & resources for all persons, while reducing weight load off school back packs.

However, in the absence of viable multi-lingual, multi-platform, fast & low data usage applications, it may remain a challenge to popularise NDL.

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The challenges to the sustainability of NDL Are –

① Digital Divide ⇒ 40% of Indians lack digital access or literacy

② Literacy ⇒ ~~Only~~ More than 25% of the population lacks literacy, while basic education outcomes have gone down drastically

③ Awareness ⇒ NDL needs to be popularised at community level.

④ Language ⇒ The material has to remain competently multilingual for full access

⑤ Cost of Data ⇒ Must also provide internet in schools, public libraries & village CSCs.

Thus, NDL is a progressive step towards better educational & research outcomes if a holistic approach is taken.

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**10.** Census 2011 observed that there has been a significant increase in urban homeless households in the period between 2001 and 2011. What are homeless households? Highlighting the challenges faced by them, discuss the causes for increase in such households. Suggest various measures to rehabilitate these households.

2011 की जनगणना के अनुसार वर्ष 2001 से 2011 की अवधि में शहरी बेघर परिवारों की संख्या में सार्थक वृद्धि हुई है। बेघर परिवार से क्या तात्पर्य है? उनके द्वारा सामना की जाने वाली चुनौतियों पर प्रकाश डालते हुए, ऐसे परिवारों की संख्या में होने वाली वृद्धि के कारणों की चर्चा कीजिए। इन परिवारों के पुनर्वास हेतु विभिन्न उपाय सुझाएँ।

'Urban Homeless' households refer to families or household units who dont have a ~~dwell~~ permanent dwelling unit, and are forced to periodically relocate or seek shelter in hazardous locations. eg. public streets, rail lines.

Therefore, Urban homeless are those who's ~~do not qual~~ dwelling units do not qualify as 'slum areas' or permanent units

Urban homeless have risen to 3% of urban population, owing to 'organic' & non-planned expansion of cities, absence of

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affordable housing & land, lack of employment & sustenance along with social persecution of certain groups. eg. Rohingyas in Bangalore.

These households remain the most vulnerable to lack of education, lack of identity or benefits from government (PDS, Kerosene etc), sexual exploitation, diseases & absence of sanitation.

Challenges -

Sexual exploitation, sanitation, health, drinking water, education, entitlement benefits, law enforcement authorities, absence of identity or access to sustainable means of adequate income, weather & climate.

Even as housing is not a panacea for some ills, the lack of housing gives rise to most issues

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The reason for increase has been lack of non farm jobs & landlessness in rural areas, along with unplanned growth of urban areas which shows lack of affordable, safe housing.

The 'Housing for All' Mission aims to rehabilitate such persons. However, a 'holistic' approach is needed to provide them sustainable access to better conditions-

1. Skills under PMKVY which is linked with placements.
2. Admission to local schools of children
3. Toilets under Swachh Bharat
4. Aadhar card & attendant benefits

Thus, to fully utilise labour force & for comprehensive economic upliftment, conditions of homeless



need to be improved.

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11. What is the criteria for a village being recognized as electrified? Examine the challenges present in rural electrification in India. Elaborate upon some of the recent initiatives of the government with a special emphasis on Deen Dayal Upadhayaya Gram Jyoti Yojana.

एक गाँव को विद्युतीकृत गाँव के रूप में मान्यता प्रदान करने के लिए क्या मानदंड हैं? भारत में ग्रामीण विद्युतीकरण में विद्यमान चुनौतियों का परीक्षण कीजिए। इसके अतिरिक्त, दीन दयाल उपाध्याय ग्राम ज्योति योजना पर विशेष बल देते हुए इस दिशा में सरकार द्वारा हाल में उठाए गए कुछ कदमों पर सविस्तार चर्चा कीजिए।

The criteria used by the Central Electricity Authority for electrification of villages is as follows.

① ~~Electrif~~ Electricity poles go to village

②. 10% houses electrified.

③ Dalit 'basti' of village has poles of electricity.

④. School/ Public meeting place of village has electricity

As the definition is seen 'restrictive' given that despite 18000 villages left for electrification, electricity uptake by 'electrified' villages remains very low.

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Challenges in Rural Electrification -

1. Cost of laying transmission, feeders & transformers is uneconomical for smaller villages

2. Revenue realisation from villages is very low due to 'Katia' or illegal connections

3. Uptake is majorly for agriculture & borewells. Domestic uptake is low as electricity erratic.

4. Differential subsidies for different uses of electricity without feeder separation reduces revenue.

5. Corruption in electricity provision & revenue realisation.

6. Far flung areas can only get microgrids which are 'off grid'.

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Thus, the Deen Dayal Upadhyay Gramin Vidutikaran Yojana aims to 'electrify' all villages by 2019 & provide sustainable access to 24x7 electricity.

The Integrated Power Development Scheme (IPDS) will provide for feeder separation, sub stations & feeders for better provision and accounting of electricity.

The National Solar Mission, Wind Energy Policy, Geothermal Energy & Etc can also spur 'off grid' & surplus electricity feeder projects for far flung areas to allow locals to 'gain' revenue from renewable power generation.

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12. While the Right to Education (RTE) Act was based on noble intentions, implementation of many of its provisions remain ridden with problems. Discuss.

यद्यपि शिक्षा का अधिकार (RTE) अधिनियम महान उद्देश्यों पर आधारित था, फिर भी इसके कई प्रावधानों का क्रियान्वयन समस्याओं से भरा हुआ है। चर्चा कीजिए।

The Right to Education Act 2009 operationalised Article 21A to provide compulsory education to all ~~stud~~ children (6-14 years) with entitlements to books, mid day meals, quality education and 'student mapping', to provide equity, access, affordability and availability of education to all students, especially from remote or disadvantaged communities & areas.

The Act succeeded in increasing primary enrollment to near 100% while granting access through school infrastructure & teachers

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to all.

However, a number of structural issues, identified by Geeta Bhukkal and TSR Subramanian committees have constrained 'RTE'. ⇒

① No failing policy till Class 8 fails to improve outcomes.

② Student mapping has led to many 'small schools' with <50 students or single teacher schools.

③ Absence of teacher training or qualification criterion in the Act, while increasing burden on under-equipped teachers has reduced outcomes.

④ Absence of provisions to deal with different types of disabilities.

⑤ Stringent provisions for infrastructure has led to closing down

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of many private schools

(6) Lack of focus on 'outcomes' has resulted in dismal learning as seen in ASER Reports., resulting in reduced employability.

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Therefore, there is a need to review the RTE Act, and the mechanisms of implementation thereof.

The RTE has achieved 'quantity' by providing access, & now must focus on 'quality' improvements through ICT, teacher training, MOOCs, library access and vocational training & assessment.

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13. Critically examining the key provisions of The Surrogacy (Regulation) Bill 2016, discuss whether a complete ban on commercial surrogacy is justified.

सरोगेसी (विनियमन) विधेयक 2016 के प्रमुख प्रावधानों का आलोचनात्मक परीक्षण कीजिए, साथ ही इस पर चर्चा कीजिए कि क्या वाणिज्यिक सरोगेसी पर पूर्ण प्रतिबंध न्यायोचित है?

The Surrogacy (Regulation) Bill aims to 'regulate' the hitherto unregulated surrogacy industry which had sprouted c₹35000crore domestic & international market for largely poor surrogate ('rent a womb') mothers.

The provisions areas follows -

① Ban on commercial surrogacy.

② Penalty & punishment for doctors, clinics & participants of commercial surrogacy.

③. Only altruistic surrogacy allowed -
For couple married ≥5 yrs.
By close family, only if

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they have no children.

(4) Setting up of Surrogacy Boards to regulate and enforce

(5) Outlaws adoption and surrogacy by foreigners and non married, single or homosexuals.

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It is seen that the commercial Surrogacy 'market' was both a boon and a bane-

Boon

(1) Income support & respect for largely poor & rural women.

(2) Spurs economy, utilises services of housewives.

(3). Article 21 implied right to have children despite medical issues.

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(4) Ethically benign, as one does for others, what one would expect them to do.

Cons

(1) Exploitation of women by clinics, middlemen & renters.

(2) Legal issues with Japan, Australia & Germany when parents refused to take babies.

(3) No regulations implied women's health suffered, & 'commodification' of womb took place.

Therefore, as 'bans' of socially desireable objects often result in them going underground, it is desireable if the commercial surrogacy industry is regulated over board to ensure women's & child's health & income support.

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**14.** It is often strongly suggested that scarce government resources should be redirected in favour of primary education rather than higher education. In this context, analyse whether curtailing public spending in higher education would help in achieving the principle of equity.

प्रायः मजबूती से यह तर्क प्रस्तुत किया जाता है कि अत्यल्प सरकारी संसाधनों को उच्च शिक्षा के बजाय प्राथमिक शिक्षा की ओर पुनर्निर्देशित किया जाना चाहिए। इस संदर्भ में विश्लेषण कीजिए कि क्या उच्च शिक्षा पर होने वाले सार्वजनिक खर्च में कटौती करने से समता के सिद्धांत को प्राप्त करने में सहायता मिलेगी?

Overall government education expenditure has consistently remained at 1.6% of GDP despite the RTE & massive school expansion.

However, as 'education' is a concurrent subject, the primary responsibility for school education has been left to states, with grants from the centre, while the setting up of universities, funding through UGC & professionalising has been taken over by sectoral central regulators (AICTE, BCI, MCI) and UGC.

A large portion of education budget

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of Centre is allotted largely to 'few' universities, at the expense of primary and secondary education

Even as the overall aim should be-
① Expansion of education expenditure
② Regulation of private sector
③ State government led education spending

It is seen shifting of funds from higher to primary education has pros & cons-

Pros
① Learning outcomes will improve & result in fully competent & literate society.
② As 'skilling' of majority and employability is more essential than higher education of few, it will improve employability.

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③ Social inclusion, as disadvantaged would be most empowered, as only few SC/ST/Muslims/OBCs in overall teams get higher education

Cons

① High value employment, services sector ~~R&D~~ and high tech investment will stall

② R&D, banking financial services & IT, which constitute majority of GDP growth, will stall.

③ Lack of teachers at all levels.

④ Disadvantaged ~~will~~ sections will be at mercy of high cost private institutions.

⑤ Cutting edge research will be stalled, 'Brain Drain'.

Thus, even as it would achieve equity, it will result in richer sections accessing higher



education & taking high value jobs. Therefore, increase & optimise expenditure.

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**15.** Accessibility is the key to inclusion and equal access for people with disabilities. Analyse. Also discuss the objectives and components of the Sugamya Bharat Abhiyan with a special emphasis on inclusiveness and accessibility index.

निःशक्त जनों के समावेशन एवं समान पहुंच के लिए सुगम्यता (प्रवेशयोग्यता) एक महत्वपूर्ण कुंजी है। विश्लेषण कीजिए। साथ ही, समावेशन और सुगम्यता सूचकांक पर विशेष बल देते हुए हाल ही में आरंभ सुगम्य भारत अभियान के उद्देश्यों और घटकों पर चर्चा कीजिए।

Accessibility for disabled has been at the forefront with the Passing of the Disability Act, 2013 recently, along with the Sugamya Bharat Abhiyan.

It is seen that 'disabled', before signing UN Convention on Disability & passing of the new Act, -

1. were narrowly defined
2. Suffer from social stigma
3. Social & economic exclusion.
4. Lack of access to health & education
5. Specialised needs are not catered for, resulting in mental & physical distress & emotional trouble.

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The main points of issue are -
① Access to public buildings
② Access to health, education, sanitation, medicines and ~~society~~
③ Lack of awareness & knowledge, resulting in stigma & exclusion
④ Transport infrastructure not geared to their needs.

Thus, Sugamya Bharat Abhiyan, launched in 2016 called 'Accessible India Campaign' will attempt to holistically convert 'viklang' into 'divyang' through three pronged strategy -

① Access to Buildings
Funding & construction of disabled friendly public buildings, schools

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colleges & hospitals.
Special teaching & hospital staff for disabled.

② Transport Infrastructure

'Inclusive' & Intelligent buses, Metros, Trains and vehicles are being procured & designed for government use & through states rules.

③. Awareness & Knowledge

Among general public via social media, television and road shows, to sensitize & make aware of special needs
Will include inclusive TV channels & internet videos.

Thus, this is a progressive step for disabled, however the implementation, funding and change



in attitude will result in sustainable improvement.

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16. The Olympic Task Force constituted to prepare an action plan for the next three Olympic Games is a step in the right direction. Comment. Also highlight other initiatives required to augment India's performance in the sporting arena internationally.

आगामी तीन ओलंपिक खेलों के लिए कार्य योजना (एक्शन प्लान) तैयार करने हेतु गठित ओलंपिक टास्क फोर्स सही दिशा में उठाया गया एक कदम है। टिप्पणी कीजिए। साथ ही, अंतरराष्ट्रीय प्रतिस्पर्धाओं में भारत के प्रदर्शन को बेहतर बनाने के लिए अन्य वांछित पहलों को रेखांकित कीजिए।

Given the historically underwhelming performance of Indian athletes in Olympics & the recent sparks & breakthroughs in shooting, badminton and wrestling among others, India is faced with 'promising talent' rising without government support as SAI, state departments & federations suffer from structural issues.

The Ministry of Sports has initiated Mission Olympic Podium, wherein an 'Olympic Task Force' under Abhinav Bindra has been

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constituted with the following objectives-

(1) Select sports, geographical areas and coaches specifically

(2) Dual Approach
  (i) Support to all Olympic hopefuls & infrastructure improvement
  (ii) Pick 'winners' in academies and individuals to concentrate on.

(3) Advise & coordinate between Governments of India & states along with federations, in tune with international event calendar,

(4) Periodic review, assessment & modifications.

The Task Force removes some of the structural ills of Indian Sports administration, such

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as => ① Multiple authorities
② Red Tape ③ Lack of expertise
④ Presence of professionals.
⑤ Time specific, goal oriented mandate
⑥ Accountability, funds & political support.

Additionally, India has built world class training centres & stadia under SAI, while initiating 'Khelo India' to popularise sports.
Holding international events such as South Asian Games, CWG and FIFA Youth World Cup have also bolstered awareness & support

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17. Recent judgment of the Supreme Court, amending the Protection of Women from Domestic Violence Act, 2005 has invoked varied reponses. Highlighting the amendment, critically examine its likely impact on the application of the law.

घरेलू हिंसा से महिलाओं का संरक्षण अधिनियम, 2005 में संशोधन हेतु सुप्रीम कोर्ट के हालिया निर्णय से विभिन्न प्रकार की प्रतिक्रियाएं सामने आई हैं। उक्त संशोधन पर प्रकाश डालते हुए, इस क़ानून के अनुप्रयोग पर इसके संभावित प्रभावों का आलोचनात्मक परीक्षण कीजिए।

The Supreme Court has recently factored in social realities and situational necessity to re-interpret the scope of laws under PWDVA, 2005 by expanding scope from 'Adult Male' as a sole source of abuse & violence to =>

① Non males => Females
② Non adults => Minors, elderly.

This has come amidst an expansion of definition of 'Domestic violence' to include that against househelps, family members

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or other household residents.

Benefit of amendment

① Children & women will also be held guilty.
eg. Mother in law accused of dowry charges also under Domestic violence.

② Will increase rates of protection to women where law enforcement cannot enter.

③ Holistically covers scope of Act's Preamble, as comprehensive security & legal redress provided.

However, the victims of DV also have to be factored in, and definition of 'victim' may also be looked at so as to

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make it gender neutral
Also, in line with Supreme Court judgements on Dowry case- based harassment, this increases scope for harassing, blackmailing or coercing other members of household with a case under a stringent Act.

Thus, need exists to state procedures of automatic arrests & reversed burden of proof, as the victim must make a credible 'prima facie' case.
A strict penalty for misuse must also be given to ensure gender equality & comprehensive protection of women in households.

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**18.** Inspite of its usefulness as a tool of transparency and accountability, the RTI Act needs to be amended as it is being widely misused, especially to blackmail public functionaries. Critically examine.

पारदर्शिता और जवाबदेही के एक उपकरण के रूप RTI की उपयोगिता के बावजूद, इस कानून को संशोधित करने की आवश्यकता है क्योंकि इसका व्यापक दुरुपयोग किया जा रहा है, वह भी विशेष रूप से सार्वजनिक पदाधिकारियों को ब्लैकमेल करने के लिए। आलोचनात्मक परीक्षण कीजिए।

The RTI has emerged as a tool for empowerment, improved responsiveness & service delivery in government, while increasing transparency & accountability through its mechanisms of appeals and penalties.

Despite 95% responsiveness of public authorities according to CIC, some structural issues have led to the misuse of the Act -

(1) 'Any Citizen' ⇒ The Act does

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not need 'reasons' for ~~giving~~ asking for information. Thus, frivolous requests filed.

② Government functionaries or their proxies often demand information to strengthen litigation against colleagues or department.

③ Contractors & private parties misuse RTI to discredit other parties and persons, while stalling projects

④ ~~Department~~ Doubtful decisions of public servants are demanded to 'blackmail' bureaucrats for money or other favours

⑤ Act allows persons to file information which may be 3rd party, but PIOs often give

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mala fide in 'public interest'.

Therefore, there is a need to ask for reasons for information, disallow department officers from frivolous information and to strengthen disclosure without stalling governance.

~~Therefore,~~

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19. The transgender community has been among one of the most marginalized communities in India. Discuss. How does the Transgender Persons (Protection of Rights) Bill 2016 seek to protect transgenders from discrimination and address the problems faced by them?

ट्रांसजेंडर समुदाय भारत में सर्वाधिक वंचित समुदायों में से एक रहा है। चर्चा कीजिए। दि ट्रांसजेंडर पर्सन (प्रोटेक्शन ऑफ़ राईट) बिल 2016 {ट्रांसजेंडर व्यक्ति (अधिकारों का संरक्षण) विधेयक-2016} ट्रांसजेंडरों के साथ होने वाले भेदभाव से संरक्षण एवं उनके द्वारा सामना की जाने वाली समस्याओं को किस प्रकार संबोधित करने का प्रयास करता है?

Transgenders have remained culturally, socially, economically and legally excluded for centuries, however their rights & empowerment along with increased awareness has resulted in many transgenders ~~ind~~ in politics & leadership roles.

The NALSA v. UoI judgement granted transgenders rights of 'third gender' and to allow recognition of their status &

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allow socio-economic growth & development.

The Transgenders Bill 2016 was a Private Members Bill passed in Rajya Sabha which aimed to -

1. Provides rights of recognition of gender
2. Allow inclusion in education, healthcare & social services
3. Specialised schemes for their skill development & upliftment
4. Penalty for atrocities against transgenders on lines of the SC/ST PoA Act.
5. Traditional & cultural rights & practices of transgenders be maintained & recognised.

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The Bill addresses issues of exploitation, recognition, discrimination, economic opportunities and social exclusion.

However, implementation & enactment of Bill would require change in mindsets and attitudes, which has to occur through political leadership, awareness and education.

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**20.** Though the Forest Rights Act 2006 tries to undo the historic injustice done to the forest dweller and tribals, it has been argued that it is being misused. Critically analyse.

यद्यपि वन अधिकार अधिनियम 2006 वनवासियों और आदिवासियों के साथ हुए ऐतिहासिक अन्याय को समाप्त करने का प्रयास करता है, लेकिन यह तर्क दिया जा रहा है कि इसका दुरुपयोग किया जा रहा है। आलोचनात्मक विश्लेषण कीजिए।

The Scheduled Tribes & Other Traditional Forest Dwellers (Recognition of Rights) Act 2006 -

① Recognises historical injustice & rights of forest dwellers over forest resources

② Grants community rights to minor forest produce, village land, grazing areas, ponds and right of consent over usage of forest land

③ Consent of Gram Sabha for utilisation & acquisition of land

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(4) Individual rights to dwelling and agricultural land.

Therefore, the Act aimed to economically & legally empower tribals to improve social integration and forest conservation, while recognising rights.

However, implementation issues have paralyzed the Act -

(1) Gram Sabha consent & public hearing are not seen as legitimate by many protesting tribal groups against acquisition.

(2) Non tribal 'Other traditional Forest Dwellers' dont share historic & religious relationship with forests, & therefore ~~ot~~ ~~dont forest are not~~ often hurt local ecology

Don't write anything this margin (इस भाग में कुछ ना लिखें)

(3) Forest Departments often monopolise rights of sale over Minor Forest Product

(4) Narrow definitions of MFP to exclude locals.

(5) Linear projects such as roads & railways were exempted from Gram Sabha nod.

Therefore, to achieve goals of preamble of FRA Act, there is a need to follow 'spirit' of the Act and allow freedom & limited regulation of such communities to sustainable use of resources, along with benefits of development to such persons.